

11-311. Entailed into the line of the family. Joseph Hume, husband of Joseph Hume, a native of Augusta, Me., aged 37 years and 1 day. Friends and acquaintances are respectfully invited to attend the funeral which will be held at 2 o'clock, at his late residence, 2011 Broadway, Boston.



Post June 26
1905

WIDOW WINS THE ESTATE

The bitter legal war over the estate of Hippolyte Dutard was terminated this morning in the Supreme Court by a decision confirming the decision of Judge Sewall's court, sustaining the contention of the executors of the Dutard estate. The case involved several millions of dollars and has engaged the attention of the courts for many years. The decision is a victory for Mrs. Wakena Dutard, the widow of Hippolyte Dutard, as well as for the latter's attorneys, Messrs. Bishop, Wheeler and Hoefler.

The plaintiffs of the case were Leonora Dutard, Mrs. Tinecklay Dutard-Kleinclauss, a half-sister and half-sister of Hippolyte Dutard, as well as a number of relatives in France, who petitioned for a share of the Dutard estate, which they alleged was worth twelve millions. The plea was based on the grounds that the deceased held the estate in trust for all the heirs of Bernard Dutard, the father of Hippolyte, notwithstanding that no claim whatever had been made by the plaintiffs upon Hippolyte Dutard during the latter's lifetime, and notwithstanding the fact that the elder Dutard left little or no property to Hippolyte except his good business name and a very insignificant brokerage business on Sansome street.

Through his thrift, good judgment and application Hippolyte prospered so well with the small estate left him by his father that at his death in 1900 the Dutard estate grew from a few hundred dollars to several millions. The plaintiffs alleged that they were entitled to an equitable share in the estate on the ground that the elder Dutard, at his death about thirty-five years ago, requested his son, Hippolyte, to continue the business in behalf of the surviving family and relatives.

During the thirty-five years' management of the Dutard business, no claim whatever had been made upon Hippolyte Dutard for any accounting of the estate, principally because the estate was of no material value at the time young Dutard assumed control of it, and no intimation whatever was given by any of the heirs of their presumed claims.

In deciding the case the court decided that the conditions of the plaintiffs were without merit. The expenditures of the estate, through their counsel, put in no defense, the decision being based altogether upon the defense of the plaintiffs.

Hippolyte Dutard

Illness of Hippolyte Dutard.
Hippolyte Dutard, one of San Francisco's old and wealthy merchants, is confined to his residence, 1114 Pacific avenue, by a serious illness. His relatives and friends are much concerned about his condition. Dr. H. P. Moffat, the attending physician, says that Mr. Dutard is a very sick man and has been ill for a number of months.
Mr. Dutard has been identified with the business interests of San Francisco for a great many years. He has been President of the Chamber of Commerce and occupied other positions of responsibility in business and financial circles. He has amassed a fortune in the commission and coast shipping business. His business fortune is estimated to be between \$1,000,000 and \$1,500,000.

Ex. March 23, 1905

CHRONICLE, MONDAY.

Invited to attend the funeral this day (Monday), at 2 o'clock, from the residence of Mrs. J. H. Jones, 1305 Twenty-first street, to the St. James' Church, corner of Third and Twenty-third streets, where a solemn requiem high mass will be celebrated at the request of her son, commencing at 10 o'clock. Interment, Holy Cross cemetery.

DECEASED. In this city, April 11, Mary, beloved daughter of the late Caroline and John H. Tuttle, and sister of Daniel Tuttle, a native of New Brunswick, Can., aged 22 years, 8 months and 26 days.
Friends and acquaintances are respectfully invited to attend the funeral this day (Monday), at 2 o'clock, from the St. James' Church, corner of Third and Twenty-third streets, where a solemn requiem high mass will be celebrated at the request of her son, commencing at 10 o'clock. Interment, Holy Cross cemetery, in evening.

MEMORIAL OF ALTA PARSONS, MRS. J. S. H. W. are requested to attend the funeral of ALTA PARSONS, President of the L. L. LEVISON Society.

DECEASED. In this city, April 15, Hippolyte Dutard, a native of France, aged 62 years, 8 months and 10 days.

Friends and acquaintances are respectfully invited to attend the funeral to be held this day, at 2 o'clock, from his late residence, 1114 Pacific avenue. Interment, Holy Cross cemetery, in evening.

DECEASED. In Highlands, San Bernardino county, April 16, Henry Eckler, father of Mrs. Henry Eckler, George A. and Emma Eckler, a native of Berlin, Me., aged 74 years.

WIDOW OF DUTARD WINS SIGNAL VICTORY

Supreme Court Upholds Contention in Suit Waged by Sister-in-Law Against Her Husband's Estate.

The estate of the late Hippolyte Dutard is to remain intact, and the widow of the deceased commission merchant, Eliza Dutard, won a signal victory. The Supreme Court today handed down a decision which practically puts an end to the litigation advanced to break into the estate.

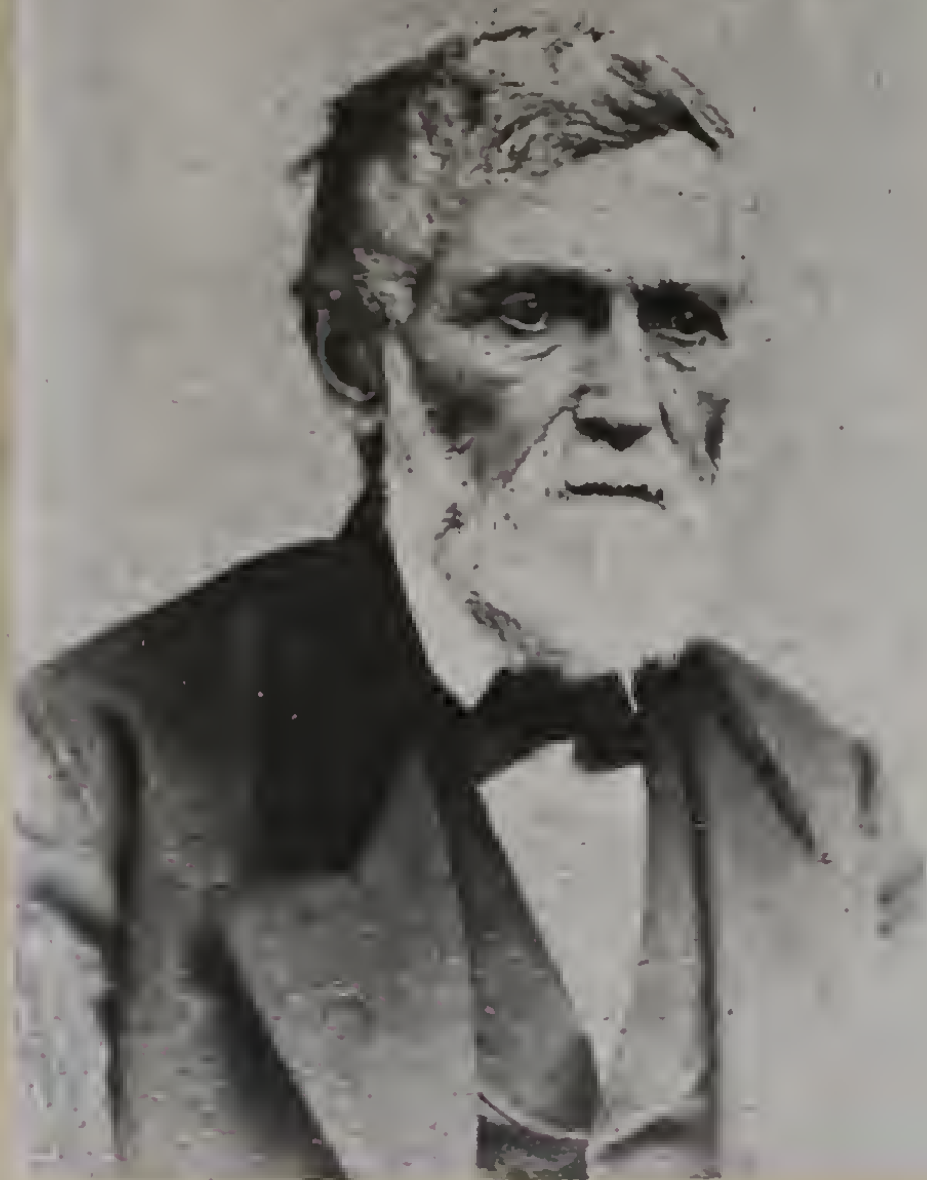
In 1865 Hippolyte Dutard's father died, leaving a small business valued at that time at \$15,000. This business he conferred upon Hippolyte, with the provision that the latter should care for the family.

Hippolyte was energetic and fortunate in business, and the establishment left to him grew rapidly. In 1875 it was worth \$100,000 and in 1900, upon his death, it was valued at \$2,500,000.

Hippolyte had married on the old-fashioned impulse of his father, but according to the Supreme Court record a claim of the deceased ought to recover a one-fifth interest in his estate. This claim was Mrs. Tinecklay Dutard Kleinclauss.

The widow Eliza Dutard, entered a cross-complaint, which was demurred to. The demurrer was overruled without leave to amend, and from this the appeal, which has been resolved in favor of the widow, was taken.

Hippolyte Dutard.



AY, JUNE 27, 1905.

MRS. DUTARD GETS MILLIONS

Supreme Court Awards Great
Estate to Widow and Cuts
Brother and Sister Off.

Mrs. Eliza Dutard, widow of the late Hippolyte Dutard, won a flint and complete victory in the Supreme Court yesterday in the contest over the \$2,500,000 estate left by her husband. The court affirmed the decision of the lower court, which completely knocks out all claim to the estate by Mrs. Thelma Dutard Kleinsch and Leonie Dutard, the brother and sister of the deceased commission merchant.

Hippolyte Dutard's father died in 1860 leaving a small produce and commission business in this city valued at \$15,000. He died intestate and Hippolyte Dutard took up the business with the understanding that he would run it for the heirs at law. In 1875 it was worth \$100,000 and in 1890, when Dutard died, it had grown through his thrift and industry to a value of \$2,500,000. From 1875 to the time of his death Dutard ran this business entirely in his own name, and it was claimed by his brother and sister that no accounting was ever had with them.

Mrs. Kleinsch and Leonie Dutard brought their action to obtain a decree that all of the property possessed by the deceased at the time of his death was the property of the estate of the deceased father and mother, in which they were among the heirs at law. In the Superior Court, before Judge Brown, they lost their case, and the Supreme Court yesterday affirmed this judgment. In the decision yesterday it was pointed out that the size of the big estate was almost entirely due to the business ability of one man, and that it is inequitable to the rest of the family to have it all go to the brother and sister who were not the ones who built it up. A second decision makes a final decree of distribution of the estate to Mrs. Dutard.



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44 Paul

Theodore Kytko won the special prize for best center. Kytko used a .41-caliber revolver.

SCORES HIGH ON REVOLVER RANGE



T. Kytka, President Pacific Indoor Shooting Club, With Target Showing Score of 82 Made by Him.

Kytka's Good Work With a Heavy Weapon.

THEODORE KYTKA was, on Thursday night, elected president of the Pacific Indoor Shooting Club, which was organized last year for the encouragement of accuracy in revolver shooting. The other officials elected were: Geo. T. Frahm, vice-president, H. B. Grube, secretary, M. Rolander, treasurer, J. Kullman, shooting master, W. C. Prehara, deputy shooting master.

Mr. Kytka is a member of the United States Revolver Association, which has a membership of nearly 1000. He is one of the best shots in the local club, and an enthusiast in fancy shooting. The illustration gives a sample of his marksmanship. The score represented by the target reproduced is 82, out of a possible 100. It was made at twenty yards with a 14-caliber S.W. Russian model revolver. This is the heaviest revolver used in the club.

The Pacific Indoor Shooting Club

now has seventy-five members, including most of the best revolver shots in this city. The gallery at Second and Mission streets is always open for practice. It is fitted in a thoroughly up-to-date manner, being equipped with ten automatic targets, attached to wires.

Members shoot indoors with revolvers of from 22 to 44-caliber, reduced charges, twenty yards. At the outdoor gallery the range is fifty yards, and full charges are used.

Throughout the year team and individual shoots are conducted for prizes. A match for the championship is held once a year. The present champion of the club is F. V. Kingston, the vice-president, with a score of 95, on a United States standard target with a 22-caliber revolver, at twenty yards.

Last week a team from the club defeated the Hoboken team, the latter being in New Jersey and the scores being telegraphed. The Hoboken team comprised some of the crack Eastern shots. San Francisco won by thirteen points.

Chronicle
Dec 77.
1904

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Chronicle Feb 8 - 1900

PIONEER LAWYER IS CALLED BY DEATH

Thomas B. Bishop Dies at His
Home After Illness of One
Year—His Brilliant Record.



Attorney Thomas B. Bishop,
Who Died Early Yesterday
Morning.

THOMAS B. BISHOP, a pioneer attorney of San Francisco and one of the most brilliant members of the bar in California, died soon after Tuesday midnight at his home, 2309 Washington street, following an illness of nearly one year. Death had been expected by the family for several days, but the blow was nevertheless a severe one to those he left behind. He had been confined to his bed since early last September.

Mr. Bishop was born in East Providence, R. I., on June 20, 1840. He came to San Francisco in 1865, after graduating from Brown University, and began the practice of his profession. He organized the law firm of Garber, Thornton & Bishop. The firm name has changed several times since, and at the demise of Mr. Bishop was known as Bishop & Hoefler. During his long career at the bar Bishop was connected with many of the important legal cases of the State, and even while lying on his sick bed in his last illness he was often consulted by Mr. Hoefler in important suits. He was one of the attorneys in the settlement of the Hylthe and Fah estates.

At the time of his death Mr. Bishop was a trustee of the San Francisco Free Library, the Hastings Law College, the State Mining Bureau and the Miranda Law School of Mechanical Arts. His estate consists of five ranches in this State and large holdings in the City Street Improvement Company. He leaves a widow and four sons, the latter being Thomas P., James H., Edward and Frank. Thomas P. and James H. Bishop are attorneys, and their two brothers are engaged in farming.

Judge Sewall and several other Superior Judges adjourned their courts yesterday morning out of respect for the memory of the dead attorney. Mr. Bishop was one of the plaintiffs in a suit before Judge Sewall, and when court convened W. H. Trembick moved that the case be continued and that court be adjourned. In a short address Judge Sewall paid high tribute to Mr. Bishop both as an attorney and as a man. Judge Sewall, in responding, said he had known Mr. Bishop for many years, and there was no member of the bar whom he held in higher esteem than the man who had just passed to his reward.

Some five years after Mr. Bishop came to San Francisco he went back East and was married to Miss Josephine Hall, daughter of Professor James Hall, the noted geologist who for many years lectured at the State



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Some five years after Mr. Bishop came to San Francisco he went back East and was married to Miss Josephine Hall, daughter of Professor James Hall, the noted geologist, who for more than forty years was State Geologist for New York. The family home was in Albany, N. Y., and it was here the wedding took place. The young couple came at once to San Francisco to establish a permanent residence. Professor Hall was formerly president of the Geologist Society of America, and in 1889 when he attended the regular meeting of the International Society of Geologists at St. Petersburg, Mr. Bishop and two of his sons, James and Thomas, accompanied him. The funeral will be held from the family residence in Union square at 11 o'clock. Rev. Father Edwin Allen of St. Ignace will officiate. Interment will be at Holy Cross Cemetery.

SCIENTIFIC AMERICAN

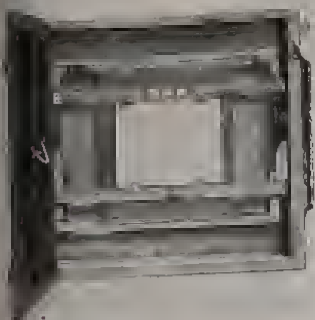
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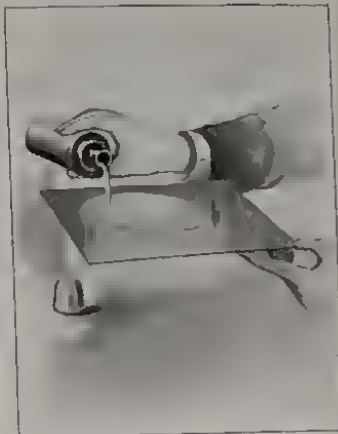
\$3.00 A YEAR.
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The Plate Holder



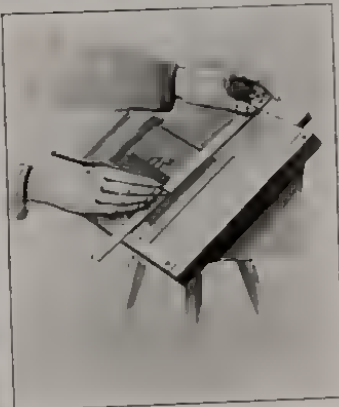
The Photograph Gallery.



Flowing with Collodion.



Printing with the Electric Light.



Squaring the Film.



Stripping the Film.



Whirling the Sensitized Copper Plate.



Finishing the Plates.

Coating the Copper.



Bevellog Machine.



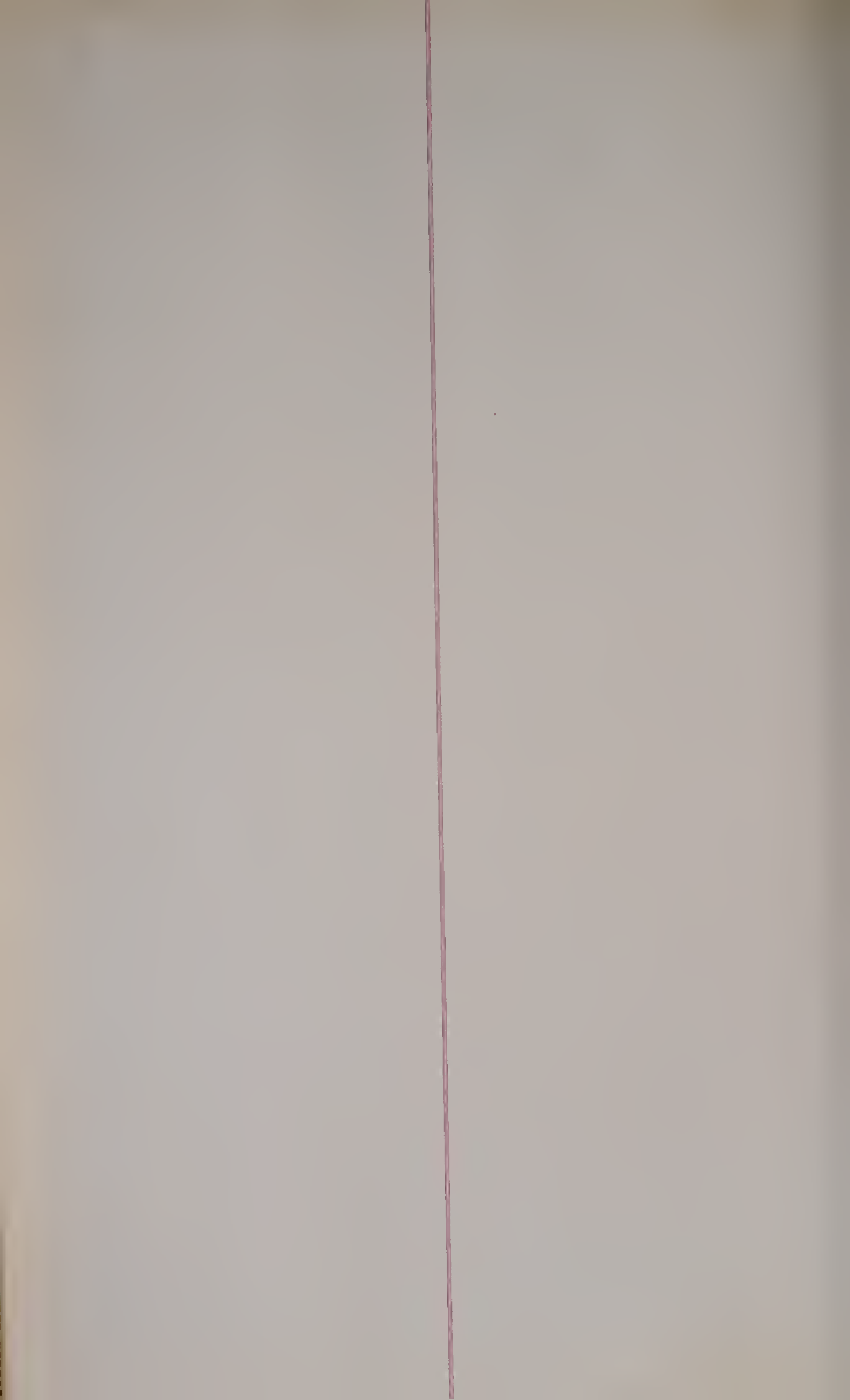
Mounting the Plates.



Finishing and Proving Plates.

THE MAKING OF A HALF-TONE ENGRAVING.—[See page 163.]

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AFTER FORTY YEARS OF HONORABLE BUSINESS LIFE



THE LATE HIPPOLYTE DUTARD.

HIPPOLYTE DUTARD is dead. In his demise a widely known man has passed away and an honorable business career of forty years has been terminated. The cause of death was Bright's disease and for ten weeks past the convalescence had been growing in the minds of the

relatives and friends of the deceased that he could not survive.

To-morrow at 2 p. m. the funeral services will be held at the family residence, 2115 Pacific avenue, and the following pallbearers have been chosen: J. K. C. Hobbs, James Hogg, Thomas B. Bishop, C. S. Laumeister, C. B. Stone, W. Mayo Newhall, Dr. Whitney and H. E. von Hagen.

Mr. Dutard was born in Valparaiso in 1843 and was brought by his father, Bernard Dutard, to San Francisco in 1849, when the commission house was founded. At an early age Hippolyte Dutard entered his father's business and continued in it after his father's death up to the time of his own death. A public-spirited man, he was nevertheless retiring, and though urged to become the President of the Produce Exchange and kindred institutions, he contented himself with the duties of a Director. In addition to his own large business interests, he was a Director of the City Street Improvement Company and was interested in a transportation company plying between San Francisco and Crescent City.

Quiet, unobtrusive, and a good friend, he was a member of several clubs, including the Pacific Union, Merchants' and Olympic. Mr. Dutard was also an honored member of the Society of California Pioneers. He leaves a widow, but no children. His nearest relatives are his sister, Mrs. T. Kleinschloss, his niece, Miss Fanny Dutard, Mrs. Edward T. Houghton, Mrs. Fred Schuster, Mrs. Henry Blanchel, Mrs. Theodore Kytko, and his nephews, Charles H. Kleinschloss, Leonard Sheldon and Walter Sheldon.

Mr. Dutard left an estate valued at over \$1,000,000.

DEATH CLAIMS. ONE MORE OF THE PIONEERS

Hippolyte Dutard, Commission Merchant, Passes Away.

He Came to This City in 1849 With His Father, Who Established the Business to Which the Son Succeeded.

Another member of the pioneer band who helped to build up this city in early days was summoned by death yesterday morning, when Hippolyte Dutard, one of San Francisco's best-known commission merchants, succumbed to a disease with which he had been afflicted during the past ten weeks. The end came rather unexpectedly. Mr. Dutard's death was peaceful, his sorrowing wife and several relatives being present at his bedside.

Mr. Dutard was 67 years of age at the time of his death. Previous to his last illness he had enjoyed excellent health, having experienced only slight attacks of rheumatism. He was laid low by Bright's disease. He had been confined to his bed for the past ten days.

Mr. Dutard was born in Valparaiso, Chile, in 1843, and came to this city in 1849 with his father, Bernard Dutard, who established in 1852 the business which rapidly assumed its present large proportions, and in which the son finally succeeded. He was a member of the California Pioneers, Pacific Union Club, Produce Exchange, Merchants' Association and other representative bodies of this city. Besides his wife Mr. Dutard leaves a sister and two nephews, Leonard and Walter Sheldon, who were identified with their uncle's business at the corner of Sacramento and Davis streets.

The funeral will take place from the family residence, 2115 Pacific avenue, to-morrow afternoon at 2 o'clock. The funeral ceremonies will be held at the interment will be at the Mount Carmel Cemetery. The pallbearers selected are J. K. C. Hobbs, T. B. Bishop, C. S. Laumeister, C. B. Stone, W. Mayo Newhall, Dr. James D. Whitney and H. E. von Hagen.

DEATH CLAIMS A WELL KNOWN MERCHANT.



HIPPOLYTE DUTARD, the prominent merchant, died at his home, at 2115 Pacific avenue, yesterday morning, after an illness of ten weeks of Bright's disease. Previous to his last illness he had been actively engaged in business in this city for over forty years, acquiring a large fortune. He leaves a widow but no children. The funeral services will be held at the residence to-morrow afternoon at 2 o'clock with interment private. The pallbearers will be J. K. C. Hobbs, Jas. Hogg, T. B. Bishop, C. S. Laumeister, C. B. Stone, W. Mayo Newhall, Dr. James D. Whitney and H. E. von Hagen.

The deceased was born in Chile on January 4, 1843, and came to California with his father in the brig Albatross in 1849. He grew up and went into business here, succeeding his father in the grain and produce business, first on Clay street, near Davis, and later on the south-west corner of Sacramento and Davis, where the business was conducted for over forty years. Hippolyte Dutard was long a member of the Produce Exchange, and served as a director and treasurer for a number of terms. He was also a member of the Pacific Union Club. In politics he was a Republican. Part of the fortune left by Dutard includes Greatwood Stock Farm, a magnificent property on the San Joaquin river, besides two fruit ranches in Santa Clara county, and 41,000 acres of land in Santa Barbara. Besides his wife, the immediate relatives of Dutard in this city are his sole surviving sister, Mrs. Thelma Kleinschloss of 2405 Howard street, his niece, Mrs. Theo. Kytko, his nephews, Walter and Leonard Sheldon, and two nieces, Mrs. F. P. Schuster and Mrs. Henry F. Blanchel.

DEATH OF HYPPOLITE DUTARD, THE MERCHANT.

He Leaves a Large Fortune, Invested in Various Ways.

Hyppolite Dutard, the merchant, died yesterday morning at his home, 218 Pacific avenue. He leaves a widow and a large fortune, but no children. Mr. Dutard was one of the youngest of the pioneers. He was born in Chile in 1843 and came to California with his father in 1849. He succeeded his father in the hay and grain business. He was a member of the Produce Exchange and of the Pacific Union, Merchants and Olympic clubs. He was interested in the City Street Improvement Company and in other profitable enterprises. He owned the Pinewood Stock Farm, on the San Joaquin river, two fruit ranches in Santa Clara county and 10,000 acres of land in Santa Barbara county.

His nearest relatives are his sister, Mrs. T. Kleinclaus, his niece, Miss Fanny Dutard, Mrs. Edward T. Houghlin, Mrs. Paul Schuster, Mr. Henry Blanchel, Mrs. Theodor Kyika, and his nephews, Charles T. Kleinclaus, Leonce Sheldon and Walter Sheldon.

The funeral services will be held at the residence to-morrow afternoon at 2 o'clock with interment private. The pallbearers will be: J. K. C. Hobbs, James Hogg, T. D. Bishop, C. S. Lammester, C. B. Stone, W. Maye Newhall, Dr. James D. Whitney and H. K. von Hagen.

HYPPOLITE DUTARD PASSES AWAY

Hyppolite Dutard, for over forty years closely identified with the commercial interests of San Francisco, is dead at his home, 218 Pacific avenue. Deceased had been ill for ten weeks with Bright's disease.

The deceased was born in Chile on Jan. 4, 1843, and came to California with

his father in the brig Alice in 1849. He succeeded his father in the grain and produce business, first on Clay street, near Davis, and later at the corner of Sacramento and Davis streets, where the business was conducted for over two decades. He was a member of the Produce Exchange, serving as a director and treasurer for a number of terms. Mr. Dutard was also a member of the Pacific Union Club and a staunch adherent to the principles of the Republican party.

Deceased leaves a widow, but no children. Other relatives residing here are Mrs. Thekla Kleinclaus, a sister; Mrs. Theo Kyika, Mrs. F. P. Schuster and Mrs. Henry F. Blanchel, his nieces, and two nephews, Walter and Leonce Sheldon.

Part of the fortune left by Dutard includes Pinewood Stock Farm, a magnificent property on the San Joaquin river, besides two fruit ranches in Santa Clara county, and 44,000 acres of land in Santa Barbara.

The funeral will take place from the residence to-morrow afternoon at 2 o'clock, with interment private.

THE DUTARD ESTATE.

The will of Hyppolite Dutard, the millionaire commission merchant, recently deceased, was filed to-day for probate by Attorneys Bishop and Wheeler.

The estate is estimated at over \$1,000,000, consisting of real estate and personal property.

It is devised wholly to the surviving widow, Mrs. Elizabeth Dutard, with the following acting as executors: Mrs. Dutard, Walter D. Sheldon, W. B. Barnard and C. B. Stone.

WILL OF HYPPOLITE DUTARD IN PROBATE.

Entire Estate Left to the Widow of the Deceased.

The will of the late Hyppolite Dutard was filed in the Probate Court to-day. It bequeaths all the property of the deceased to his widow, Eliza Dutard. Mrs. Dutard, Walter D. Sheldon, William B. Barnard and Charles B. Stone are named as executors. Barnard was the confidential clerk of the deceased, and provision is made in the will that he be employed in a similar capacity by the estate. Dutard was a pioneer merchant. He came here over forty years ago, and before his death amassed a large fortune. His estate is probably worth a million dollars.

ESTATE OF DUTARD.

Property Worth \$800,000 Bequeathed to Mrs. Eliza Dutard, Widow of Testator.

The will of the late Hyppolite Dutard, commission merchant, has been filed for probate. The testator bequeathed his entire estate to his widow, Eliza Dutard.

The property is estimated to be worth \$800,000.

Mrs. Dutard, Walter D. Sheldon, William B. Barnard and Charles Barney Stone are named as executors without bonds. The will declares that Mr. Barnard, for years confidential clerk of the deceased, will be needed in the settlement of the estate and it is provided that he shall continue in his position and be paid as usual in addition to any commissions that may be allowed to him as executor.

Will of Hyppolite Dutard.

The will of Hyppolite Dutard was filed in the Probate Court yesterday. It bequeaths all the property of the deceased to his widow, Eliza Dutard, who, with Walter D. Sheldon, William B. Barnard and Charles B. Stone, is named as executor. Barnard was the confidential clerk of the deceased, and provision is made in the will that he be employed in a similar capacity by the estate, to be paid for his services in addition to his commissions as executor. The estate is valued at \$800,000.

Hyppolite Dutard's Will Filed.

Hyppolite Dutard's will, dated March 4, 1900, was filed for probate yesterday. He bequeathed his estate to his wife, Eliza Dutard, and appointed her, Walter D. Sheldon, William B. Barnard and Charles Barney Stone as executors. Barnard was his confidential clerk, and Dutard directed that his employment in that capacity be continued during the settlement of the estate, which is valued at \$800,000. The deceased had no children, but had a sister, Thekla Kleinclaus, a half-brother, Leonce Dutard, and eight nephews and nieces living.

The Late Hyppolite Dutard

Hyppolite Dutard who passed away this week after a long siege of illness, was a great lover of home. He disliked travel, though his wife had a contrary feeling and used to take a run over to Paris every year with her niece. Whenever one of his clerks asked for a holiday, Mr. Dutard was quite willing to grant it; but he invariably refused to take a vacation himself.

"I don't want a holiday," he said, "this suits me well enough."

However once he was persuaded to take a few days off, and he went to the Yosemite. But in climbing a mountain he fell and broke his leg, and he said that if that were what one gained by traveling he would never leave San Francisco again. And he kept his word.

The Name May Die

As a rule when a business man prepares for death, it is his will that his name shall be perpetuated and the structure his industry reared shall be kept up. In the case of the late Hyppolite Dutard, I understand that this may not be. In down-town commission circles it is said that Mrs. Dutard is talking about incorporating the concern, but a contrary report is to the effect that Mr. Dutard's business will be closed up as soon as this end can be accomplished. His was the largest commission house on the coast, having connections in the extreme north and south. Mr. Dutard's widow inherits all his property. He left everything to her.

Charles B. Stone Dying.

Charles B. Stone, the general manager of the San Francisco Breweries Limited, is lying dangerously ill at his home in San Mateo, and his death is likely to occur at any moment. He is suffering from a dilatation of the heart and his physicians last night could give no hope. The patient was failing rapidly. Mr. Stone has been suffering for several months and two weeks ago he went to bed.

San Francisco, January 3rd 1897

\$500.00 #
IN U. S. GOLD COIN.

My day after date, (without grace) for Value Received, in United States Gold Coin, I promise to pay to the order of Mr. Kees La Prie the sum of Four thousand Dollars, with interest thereon at the rate of Six per centum per annum, until paid, principal and interest payable in United States Gold Coin only; said interest payable monthly, and if not paid as it becomes due, to be added to the principal and become a part thereof, and to bear interest at the same rate.

F. Dutard

CH No 1.

SAN FRANCISCO, CAL. *May 19 1898* No. 10005

\$5015 \$

THE BANK OF CALIFORNIA

PAY TO THE ORDER OF *Mr. H. H. H.* \$5015⁰⁰

Four thousand and fifteen DOLLARS

COUNTERSIGNED *Walter D. Sheldon*

PER *F. H. DUTARD*

H. DUTARD
GRAIN, BEANS
PRODUCE.

NOTICE TO CREDITORS—ESTATE OF
Hypocrite Dutard, deceased.
Notice is hereby given by the undersigned, executors of the last will of Hypocrite Dutard, deceased, to the creditors of and all persons having claims against the said deceased, to exhibit them, with the necessary vouchers, within ten months after the first publication of this notice, to the said executors, at the law office of Bishop & Wheeler, 502 Market Street, Room 41, San Francisco, the same being their place for the transaction of the business of the said estate.

ELIZA DUTARD,
WALTER D. SHELTON,
WILLIAM C. BARNARD, and
CHARLES HANLEY STONE,
Executors of the Last Will of Hypocrite Dutard, deceased.

Dated at San Francisco, May 4, 1900.
BISHOP & WHEELER, Attorneys for Executors, 502 Market Street.

LEGAL NOTICES.

Foot
May 2 - 1900.

Chronicle May 27 - 1900

May 27 - 1900

May 27 - 1900

CHARLES B. STONE CLAIMED BY DEATH



(Photograph by Tabor)

CHARLES BARNEY STONE, general manager of the San Francisco Breweries, member of the Burlingame Club, the Pacific Union Club, the Olympic Club, the California Club of Los Angeles and the 1901 Fellows, died at 11 o'clock yesterday forenoon at his country residence in San Mateo. Death was caused by enlargement of the heart, latterly complicated with Bright's disease. Although confined but three weeks in bed, Stone had not been well since New Year's day and had never been in normal health since February of last year, when he returned from a trip to Europe.

The funeral will be held on Monday afternoon at 2:30 o'clock from the family home in San Mateo. Right Rev. William H. Merland, Episcopal Bishop of Sacramento, will conduct the service.

For thirty-one years Stone had been a resident of California. He was born at Huntsburg, O., on September 16, 1829. He arrived in California in 1863, locating first in Arcata, Humboldt county, where he opened a general merchandise store, which he conducted for nearly seven years. In 1870 he moved to San Francisco and became one of the organizers of the firm of Seales & Stone, which was engaged in the commission business at 22 California street, and managed the steamship Humboldt, plying between San Francisco and Europe.

From 1884 until 1890 he was a conspicuous member of the San Francisco Board of Education, and because of his manifold duties connected with that position he was known as "Double-Bar" Stone. He was chairman of the finance committee of the Merchants' Exchange, and during his term of office the affairs of that institution were in a flourish. About 1890 he was president of the Produce Exchange. In 1891 he was appointed general manager of the San Francisco Live Stock, a corporation controlled by an English syndicate, and he continued at the head of the business up to the time of his last illness, abandoning his office in this city only when it finally became impossible for him longer to remain out of bed.

At the immediate family the survivors, the widow and four children, Walter Stone, aged 19, Emily, Arthur and Charles B. Stone, Jr., the youngest child, 7 years old. The deceased left two brothers and six sisters. Wesley Stone, brother of the Bank of America in Humboldt county, Fred H. Stone, a lawyer of Hillsdale, Mich., Mrs. G. W. Corbally at San Francisco, Mrs. S. D. Howard of Palo Alto, Mrs. Albert Dickerman of Waterville, wife of Judge Dickerman, Mrs. Thomas Blair of Arcata, Mrs. A. W. King of Wyoming, Ind., and Mrs. C. G. Gully of Kenosha, Ill.

NEARLY A QUARTER MILLION.

Will of the Late Charles B. Stone Filed for Probate by His Widow.

The will of the late Charles B. Stone has been filed for probate by Jessie W. Stone, widow of the deceased, who is named as sole executrix and executrix without bonds. She informs the Court that she does not desire to take immediate possession of the estate, which she estimates to be worth \$200,000, and therefore she asks that Walter J. Willey, her brother, be appointed special administrator to take charge of the property and collect debts until letters testamentary are issued to her in the regular course of administration. The will is dated January 30, 1899. It provided that if his wife should die before he did that the property should be distributed, share and share, to his four children, Walter, Emily, Arthur and Charles.

WILL OF THE LATE CHARLES B. STONE FILED

The will of Charles B. Stone, late president of the Syndicate Breweries, who died May 26, was filed with the County Clerk today. It bequeaths the entire estate of the deceased to his widow, Jessie W. Stone. The will was executed January 30, 1899, when Stone was 70 years of age. It makes no provision for the children of the deceased, Walter, Emily, Arthur and Charles Stone. The estate is valued at \$200,000.

CISCO CALL, SUNDAY.

BUSINESS MAN OF NOTE DIES AT SAN MATEO

Charles B. Stone, Manager
of English Breweries,
Passes Away.

He Was Well Known in Commercial and Political Circles in This City and Belonged to Many Clubs.

C. B. Stone, manager of the San Francisco Breweries, Ltd., passed away at his country home in San Mateo about 11 o'clock yesterday morning. Death was due to a complication of diseases, culminating in heart trouble.

Mr. Stone came to California in 1863. He first settled in Humboldt County, but removed to San Francisco in 1876, and soon after founded the firm of Seales & Stone, shipping and commission merchants. He was one of the owners of the steamer Humboldt. In 1891 he became the manager of the San Francisco Breweries, Ltd., for an English corporation, and ably conducted the affairs of that concern up to the time of his death.

Mr. Stone was well known in public life as a member of the Board of Education, in which capacity he served the city for four years. He was also president of the Produce Exchange in 1890. As a financier he gained considerable renown, his opinion and judgment being sought on numerous occasions by persons capable of judging of his ability. He successfully adjusted the great Nevada bank when it failed several years ago.

Decceased was a member of the Pacific Union, Olympic, Burlingame and County clubs of this city and the California Club of Los Angeles. He was charitably inclined during his life and donated generously to the funds which were raised to welcome the return of the First California Regiment last year. He was 71 years of age and leaves a wife and four children. His funeral will take place in Redwood City on Monday afternoon at 3:30 o'clock.

May 27, 1900
Call

WILLIAM R. A. JOHNSON DIES IN SANTA CLARA

Well Known Business Man and Politician Succumbs After an Illness of Months.

Captain William R. A. Johnson, well known in local business and political circles, died at his home in Santa Clara on Friday last. Captain Johnson's death was not unexpected. He had been ill for many months, and although he continued active until two weeks ago his friends had long noted the approach of dissolution. He finally bade his friends in this city goodbye and returned to his home, fully conscious that the sands of his life had nearly run. A few days ago he lapsed into a semi-conscious condition, which only ended in his death. It is said that an affliction of the kidneys was the immediate cause of death.

Captain Johnson was a native of Kentucky. He came to San Francisco thirty-five years ago and entered the mercantile field. In the organization of the Pacific Mail Steamship Company he secured the position of purchasing agent for the corporation. This position he held until the reorganization of the company five years ago. He then went into politics and secured an office as deputy under the County Clerk, which position he held until two weeks ago, when illness took him to his home. His wife survives him.

Johnson was his ranch, in Santa Clara Valley, Cal., May 25. William R. A., beloved husband of Cora M. Johnson, a native of Virginia, aged 68 years.
Friends and acquaintances are respectfully invited to attend the funeral services tomorrow (Monday), at 1 o'clock p. m., at Cypress Lawn Cemetery.

PASSED AWAY AT HIS HOME.

Death of Charles B. Stone, General Manager of San Francisco Breweries.



THE LATE CHARLES B. STONE.
(Photograph by Tabor)

THE death of Charles B. Stone, the general manager of the San Francisco Breweries, Limited, which occurred yesterday morning at 11 o'clock at his home in San Mateo was unexpected. He had been suffering for several months from Bright's disease and for three weeks past was confined to his bed.

Charles B. Stone was born in Huntsburg, Ohio, on September 16, 1829, and came to California in 1863, settling in Arcata, Humboldt county. In 1876 he came to San Francisco and joined the firm of Seales & Stone, who owned the steamer Humboldt, engaged in the Eureka trade. When the syndicate purchased the local breweries Mr. Stone was appointed general manager and in 1891 entered upon the duties.

Mr. Stone was at one time president of the Produce Exchange and served four years in the Board of Education. He was a liberal subscriber to the fund of the California Volunteers and most of the deserving charities of the city were assisted by him at different times.

The deceased was a member of the Pacific Union, Burlingame, County and Olympic Clubs, and of the California Club of Los Angeles.

The funeral will take place on Monday afternoon, at half past 3 o'clock, from his late residence, in San Mateo. The interment will be at Cypress Lawn Cemetery.

SEARLES-In this city, May 24, Captain Robert R. Searles, a native of England, aged 64 years. Friends and acquaintances are respectfully invited to attend the funeral services Thursday, May 25, at 10 o'clock, at Trinity Episcopal Church, corner of Bush and Geary streets. To be interred, Mount Pleasant Cemetery, Oakland.

Examiner 1-1900

Captain Searles' Funeral.

The funeral of Captain Robert R. Searles of the Pacific Mail Steamship Company, who died at the Palace Hotel on May 24, was held yesterday from Trinity Episcopal Church. The Rev. Mr. Kip officiated. The interment was at Mount Pleasant Cemetery, Oakland. The pallbearers were Captain Hawkhurst of the Pacific Mail, Captain Anderson of the Pacific Mail, Captain Bingham of the Pacific Mail, Alexander Carter, general agent of the Pacific Mail Steamship Company and George S. McKinnon.

SEARLES' WILL.

The Well-Known Mariner Made Many Bequests.

The will of the late Captain Robert R. Searles was filed today for probate. The aged mariner lived just one month of being 64 years old at the time of his death, being born on June 25, 1836. For many years he was a captain on one of the Pacific liners. His estate is valued at \$40,000. The estate is disposed of as follows:

The body is to be buried in the Mount Pleasant cemetery, and the remains are not to be placed therein until five days or more after the death of Captain Searles; \$5000 to be placed with the cemetery association, and the interest thereon is to provide for the care of his grave. He then makes the following cash bequests: Abraham Halsey, the executor, \$2000; Mrs. Lurina M. Johnson of Santa Clara, \$5000; Wm. H. Chamberlain of New York, \$1000; Charles Edmund Blair of Scranton, Pa., \$5000; Mrs. George Mackinnon of this city, \$1000; Miss Helen Christopher of Humber, Norway, \$1000 and a gold watch; Dr. Charles A. Dukes, Oakland, \$1000; Dr. Henry R. Baker, New York city, \$1000; Miss Agnes Carter, \$1000 and 100 acres of land at Tabor, Monterey county, to Humphrey Hergerson and wife, and to the wife the sum of \$500.

CHAMBLISS' \$1,000 FROM SEARLE

Old Mariner "Turned Down"
the Former Leader of
Society.

RICH FIXTURES FOR COFFIN

Left Singular Directions as to Dis-
posal of Remains and Care
of Grave.

"Let the casket for my remains be of rich texture and of good quality," said the late Captain Robert L. Searle in his will, which was filed for probate yesterday.

The estate of the venerable mariner, who was known as the commodore of the Pacific Mail fleet, is estimated to be worth \$40,000. The cash on hand amounts to this sum, but there are said to be debts that will absorb the greater part of the property outside of the money on deposit.

The will directs that \$5,000 be invested for the care of his grave, "in order that it may never look as if it were neglected."

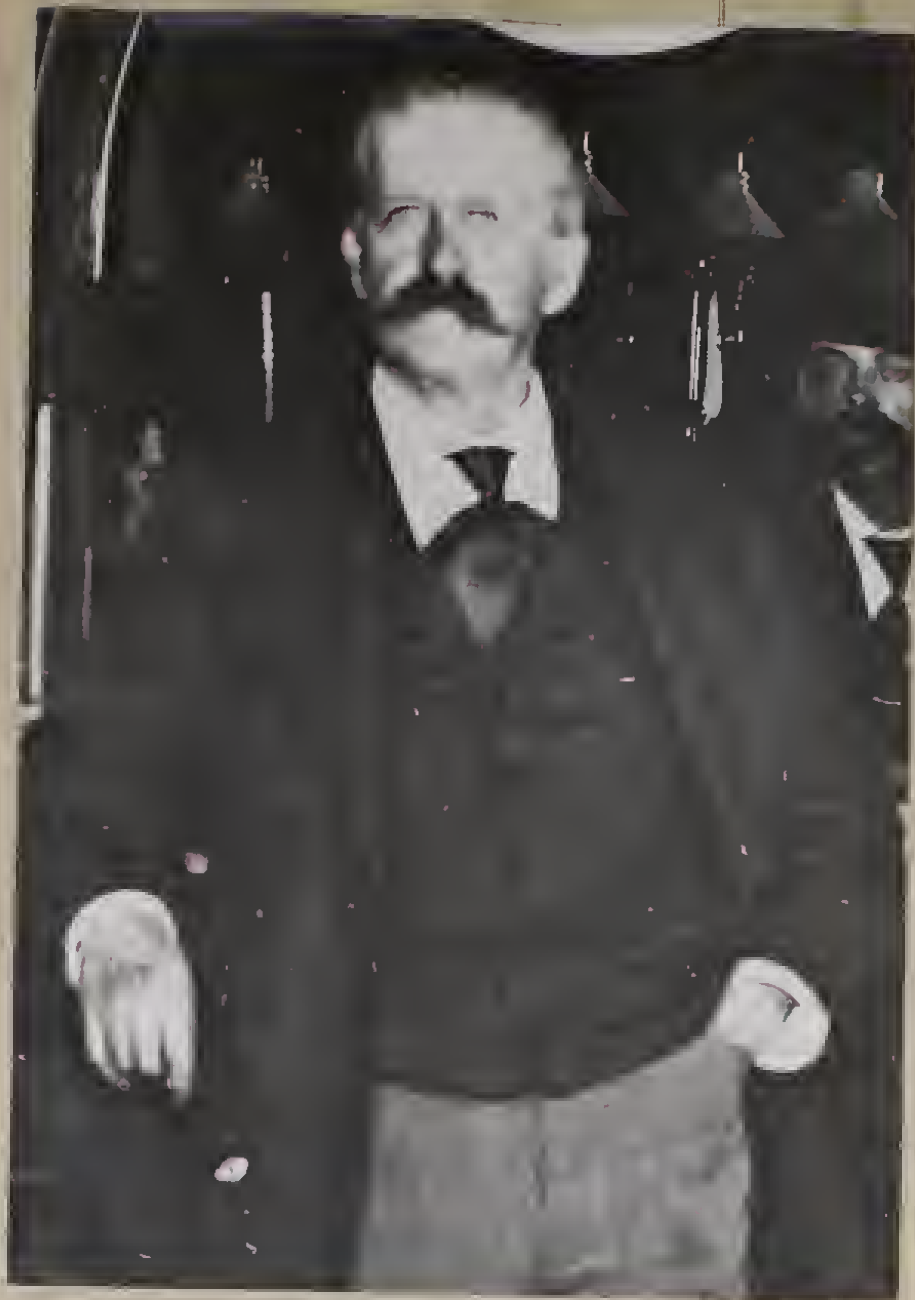
To Mrs. Bergeron, the testator bequeaths 100 acres of land in Monterey county, to do with as she pleases. In the will there is an explanatory note that the beneficiary is struggling to make a living in that forlorn region and that she is entitled to encouragement.

William H. Chambliss, who aspired to be a society leader and who was for a time treated as an adopted son of Captain Searle, is bequeathed \$1,000, and \$1,000 is given to Mrs. Susan Nichols, one of the employees of the Pacific Mail Steamship Company, who was intrusted with a large amount of Captain Searle's assets.

Other bequests are: To Charles Blair, \$5,000; Mrs. Annie Linn, \$1,000; Mrs. George McKinnon, \$4,000; Abraham Halsey, \$2,000; Mrs. Helen Christopherson, formerly Hanna Norway, \$1,000 and a gold watch; Dr. C. A. Dukes, \$1,000; Dr. Henry A. Baker, \$1,000; Searle Price, \$1,000; Agnes Center, \$1,000.

Mrs. Alexander Center is to have his large diamond studs as a mark of his appreciation of her kindness during his sickness. Mrs. McKinnon is made custodian of his clothing, "both blue and white," with a suggestion that it be given to some of his particular friends whom the garments will fit.

The will, which was filed by Attorney L. M. Hoeller, directs that Abraham Halsey shall serve as executor, without bonds, and after paying all debts and legacies the residue shall be distributed among charitable institutions to be selected by Mr. Halsey, no institution to receive more than \$1,000.



Wm R. Johnson.



2. - Searle's funeral at 11 A.M.
- at the residence of Mrs. Searle.

June 2 1900

CHAMBLISS' \$1,000 FROM SEARLE

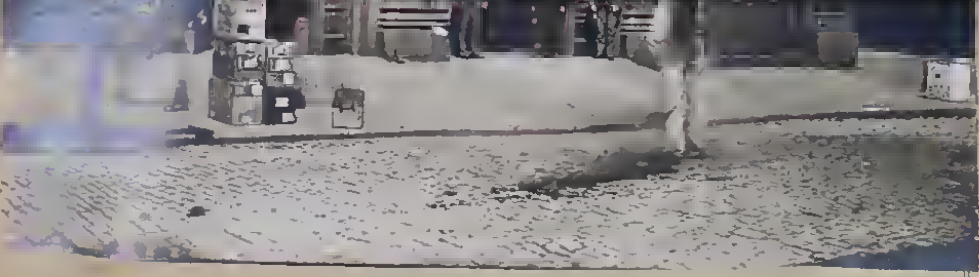
Old Mariner "Turned Down" the Former Leader of Society.

RICH FIXTURES FOR COFFIN

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Captain Robert L.
was filed for probate.
The estate of the
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The cash on hand
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the greater part of
the money on deposit.
The will directs
for the care of his
may never look null.
To Mrs. Bergeron
ten acres of land in
with as she pleases
explanatory note
struggling to make
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died.

William H. Chambliss
a society leader
treated as an adopted
is bequeathed \$1,000
Miss Susan Nicholas
of the Pacific Mail
who was intimate
Captain Searle's and
Other bequests are
\$5,000; Mrs. Annie L.
McKinnon, \$4,000;
Mrs. Helen Christensen,
Norway, \$1,000 and
Dukes, \$1,000; Dr.
Searle Price, \$1,000.
Mrs. Alexander Ch.
diamond studs as
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June 2 1900

CHAMBLISS' \$1,000 FROM SEARLE

Old Mariner "Turned Down" the Former Leader of Society.

RICH FIXTURES FOR COFFIN

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Captain Robert L.
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William H. Chau
a society leader
treated as an adopted
is bequeathed \$1,000
Mrs. Susie Nicholas
of the Pacific Ma
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Other legacies a
\$5,000; Mrs. Annie L.
McKinnon, \$1,000;
Mrs. Helap Christen
Norway, \$1,000 and
Dukes, \$1,000; Dr.
Searle Price, \$1,000
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H. DUTARD'S MILLIONS TO CAUSE A CONTEST His Brother and Sister Will Dispute the Claims of the Widow.

The will of the late Hyppolite Dutard is to be contested in the courts.

Within a few days his brother, Leon, and a sister, Mrs. Klineklaus, will file a notice of their intention to fight the provisions of the will which bequeathed to the dead merchant's widow his large estate.

This information comes from a very reliable source, and will, no doubt, surprise many of the dead man's friends. The papers in the contest, it is said, have already been prepared, and all arrangements have been made to oppose the probating of the will.

Hyppolite Dutard died three months ago of Bright's disease, leaving a will which he had executed only about thirty days before his death. In this document he named as his executor Charles H. Stone of the San Francisco Trust Co., Limited. Learning, however, that his club associate was also very sick, Dutard added a codicil to his will

to the effect that should Stone die the executorship should go to a brother-in-law. Stone's death followed closely upon that of Dutard.

The will of the latter disposed of an estate which many believe has a value of over two million dollars.

Now comes the brother and sister with their demand that they receive a liberal share of the estate. They base their claim for a division on the fact that their father made and left the fortune which the brother, in his will, sought to dispose of.

Bernard Dutard, the father of Leon and Hyppolite, was one of the pioneer merchants of San Francisco. He died leaving a widow. Shortly after his death, his son, Hyppolite, so the latter's brother and sister claim, assumed charge of the father's business after entering into an understanding that he should share the profits with the other members of the family.

Some years after, so it is alleged, the widow of Bernard Dutard applied for letters of administration on the estate of her husband, the value of which she fixed at \$75. With the application the proceedings ended, and thereafter, up to his death, Hyppolite Dutard continued in the management of the estate.

The brother and sister claim that it was the expressed desire of the father that the three children should share alike in his estate, and they purpose to dispute the right of Hyppolite to dispose of it as they saw fit.

It is stated that the contestants will be represented by Attorneys Knight and Heggerty, but when the former was seen at his office in the Parrott building this morning he refused to either deny or affirm the story of the proposed contest, and was exceedingly reticent regarding the affairs of the late commission merchant, with whom he was quite intimate.

LEGAL BATTLE FOR MILLIONS BEQUEATHED BY HYPPOLITE DUTARD MAY BE WAGED BY RELATIVES



THE LATE HYPPOLITE DUTARD
FOR WHOSE WEALTH A LEGAL BATTLE
MAY BE WAGED.

THE fortune which Hyppolite Dutard spent a lifetime to accumulating and which he bequeathed to his widow when he died, may soon be entangled in litigation brought by the dead millionaire's brother and sister, who lay claim to a portion of his estate.

Mrs. Thekla Klineklaus of this city, a sister of Hyppolite Dutard, and his brother, Leon, of Santa Rosa, are the contestants whose efforts to break the will, drawn only a few days before Dutard's death, may involve his estate in prolonged litigation.

The brother and sister who, much to their surprise, were not mentioned in the will, have not yet fully decided to file a contest, but have consulted their attorneys, Knight & Heggerty, upon the subject and admit that there is every probability that within a few days the battle for a \$2,000,000 estate will begin.

There are two distinct allegations upon which the Dutards who were not remembered in the will intend to base their contest. The first is the alleged fact that Hyppolite was of unsound mind when he drew the document which excluded his brother and sister from any share in his estate.

His death occurred on the 15th of last

April. Only a few days before he died he drew his will. He was suffering from an incurable disease and had been ill for months. From the nature of his ailment Mrs. Klineklaus believes that her brother was not in the proper mental condition to draw a will disposing of his vast property.

"It was always understood that all of us were to be remembered in his will," said one of the Klineklaus family last evening, "and of course there has been considerable dissatisfaction that this did not prove to be true. There has been much talk of contesting the will in which we were forgotten, but nothing has been decided yet."

"We don't think much ever intended that we should get none of his estate. He always said that all of us would be remembered. The will in which everything was left to his widow was made only a few days before his death from a disease which impaired his mind, while it weakens the body. For this reason it seems likely, does it not, that his last testament disposed of his property very differently from the way in which he would have wished to have had it divided had he been in his right mind?"

"There is another point upon which the contest, if it is filed, will attack the will. When Bernard Dutard, father of Hyppolite, died many years ago he left his estate to his children, among whom it was to be equally divided. Hyppolite assumed control of the property and always managed it with the understanding that his brother and sister were to have their shares when they wanted them. He assumed control of the entire property and doubled it ten times over. The estate was never partitioned and matters ran along until his death. Of course we expected that in view of the fact that he had built up his \$2,000,000 fortune by taking charge of a property, only one-fourth of which was his, he would right this injustice, and I think he intended to do so, and would have carried out his intention had he been mentally competent when he drew his will."

"I cannot see how a brother can take charge of an estate of which he only owned a portion and upon his death dispose of the entire property as if it were his own."

"Those are the lines upon which the fight against the will may be based. There is nothing definite yet. Nothing has been decided, but within a day or two much more may be known."

Hyppolite Dutard was one of the best known business men of San Francisco, and his father, Bernard, was one of the pioneer settlers of the city. His extensive business interests by which he amassed the wealth for which his relatives will contest in the courts, were scattered all through the State and were not confined to any one flow. He was one of five children, of whom but two—the brother and sister who may contest his will—survive.

DEAD MAN WHOSE COIN IS IN DISPUTE.

CONTEST OVER DUTARD'S WILL



A Suit Is to Be Filed
Within a Few
Months.

BROTHER AND SISTER
CLAIM THEIR SHARE.

SAY THAT NEITHER OF THEM
WAS THEIR FATHER'S
ESTATE.

Allegation Will Also Be Made That
Dying Merchant Was Not of
Sound Mind When He
Signed the Paper.

A contest is brewing between the widow and the blood relations of the late Hippolyte Dutard, and before the statutory year is out the Probate Court will be called upon to sit in judgment upon the merits of the respective claims. Probably the suit will not be filed for two or three months.

Dutard died on April 15, 1900, after a long illness, and within a few weeks a will was filed in which the entire estate was left to the widow, Mrs. Eliza Dutard, to the exclusion of the brother and sister and niece and nephews of the deceased. The management of the estate was given to Mrs. Dutard, Walter D. Sheldon, a nephew; William T. Barnard, a confidential clerk, and the late J. H. Stone, who died a few days after Dutard. They were not required to furnish bonds.

The contest will be conducted by Knight & Heggerty, who will appear for Leonce Dutard, a brother, who lives in Napa, and Mrs. Thelma Kleinhaus of this city. Others who would have standing in the contest are Miss Fanny Dutard, a daughter of the late Eugene Dutard, and the three children of Amalia Dutard Sheldon. One of these children is among the executors. Another, L. F. Sheldon, now appears as successor to the Dutard business, and the third is Mrs. Clarissa Houghton. It is not expected that the Sheldons will join in the contest, as they were liberally remembered in indirect ways. The one who will assist in the management of the estate has no complaint, and he who has come into the good will of the business has had the way to fortune opened for him. Mrs. Houghton had all the consideration in the Dutard family that could have come to the most favored daughter. There was some small provision for Miss Fanny Dutard, but nothing to compare with what the Sheldons received.

The Dutard commission house was founded by Bernard Dutard, one of the city's pioneer merchants, and when he died it was his wish that his children should share equally what he had, in good will and in property. Hippolyte took charge of the business and there never was an accounting. Each went his way and the business went almost by default to Hippolyte. The orphan children of the different branches of the house were reared by allowances from the Dutard business, and the Sheldons got the best that was to be had.

In the contest it will be claimed that if the deceased had been of sound and disposing mind he would never have given his estate as a whole to his wife, but would have honored the wish of his father.

The immediate cause of Dutard's death was Bright's disease, but an autopsy will be made to show that he was mentally unsound for months before his death and particularly so during the few weeks preceding his death, during which time the will was drawn. It was signed just thirteen days before Dutard breathed his last. The complaint will specify that Dutard needed constant attendance for a long time and that he was at times quite unconscious of his surroundings.

The widow's side of the story will be that the business was what her husband made of it and that he was entitled to dispose of it as he saw fit and that he thoroughly understood what he was doing when he made his will.

Dutard was a man who devoted himself almost exclusively to his business and was most sagacious in his investments. When his will was filed his estate was appraised at \$500,000, but it is generally understood that it is worth considerably more than \$1,000,000.

STOCKS SOON GO TO THE MARKET.

CONTEST OF THE DUTARD WILL PROMISED.

A contest of the will of the late Hippolyte Dutard is all to be expected. Dutard died on April 15 after a long illness, and shortly after his death a will was filed in which the entire estate was left to his widow, Mrs. Eliza Dutard. Leon Dutard of Santa Rosa and Mrs. Thelma Kleinhaus of this city, brother and sister of the deceased, assert that this will was made under undue influence and while Dutard was ill and of unsound mind. They have not fully decided to file a contest, however, but have consulted their attorney, Knight & Heggerty upon the matter, and admit that there is every probability that within a few days a bill for the \$500,000 estate will be filed.

Dutard was one of the best known business men of San Francisco, and his father, Bernard, was one of the pioneer settlers of the State. His business interests extended throughout the State and are valued at from \$1,000,000 to \$2,000,000. The Dutard commission house was founded by Bernard Dutard, one of the city's pioneer merchants, and when he died it was his wish that his children should share equally what he had, in good will and in property. Hippolyte took charge of the business, and there never was an accounting. Each went his way, and the business went almost by default to Hippolyte.



ONE HUNDRED FULL-GROWN PULLETS POISONED.

M. Dutard Loses Valuable Fowls at His Place in Santa Rosa.

SANTA ROSA, September 19.—M. Dutard, who resides on St. Helena Avenue, had ninety-seven full-grown pullets poisoned Saturday night. Dutard has no enemy, so far as he knows, who would do such a trick, and is at a loss to account for the affair. At first he inclined to the belief that his flock had some new disease which played havoc with them, but, on consultation with some neighbors, decided to report the matter to the officials.

Sheriff Grace was called into the case, and he secured the services of Supervisor G. J. Armstrong, a recognized authority on poultry, to investigate the matter. Armstrong is of the opinion that the fowls were poisoned either by diseased meat which they might have obtained or by poison placed in the drinking troughs.

H. DUTARD'S MILLIONS TO CAUSE A CONTEST

His Brother and Sister Will Dispute the Claims of the Widow.

The will of the late Hyppolite Dutard is to be contested in the courts.

Within a few days a brother, Leon, and a sister, Mrs. Kinnelous, will file a notice of their intention to fight the provisions of the will which bequeathed to the dead merchant's widow his large estate.

This information comes from a very reliable source, and will, no doubt, surprise many of the dead man's friends. The papers in the contest, it is said, have already been prepared, and all arrangements have been made to oppose the probating of the will.

Hyppolite Dutard died three months ago of Bright's disease, leaving a will which he had executed only about thirty days before his death. In this document he named as his executor Charles B. Stone of the San Francisco Hardware, Limited. Learning, however, that his club associate was also very sick, Dutard added a child to his will

to the effect that should Stone die the executorship should go to a brother-in-law. Stone's death followed closely upon that of Dutard.

The will of the latter disposed of an estate which many believe has a value of over two million dollars.

Now comes the brother and sister with their demand that they receive a liberal share of the estate. They base their claim for a division on the fact that their father made and left the fortune which the brother, in his will, sought to dispose of.

Bernard Dutard, the father of Leon and Hyppolite, was one of the pioneer merchants of San Francisco. He died leaving a widow. Shortly after his death, his son, Hyppolite, so the latter's brother and sister claim, assumed charge of the father's business after entering into an understanding that he should share the profits with the other members of the family.

Some years after, so it is alleged, the widow of Bernard Dutard applied for letters of administration on the estate of her husband, the value of which she fixed at \$75. With the application the proceedings ended, and thereafter, up to his death, Hyppolite Dutard continued in the management of the estate.

The brother and sister claim that it was the expressed desire of the father that the three children should share alike in his estate, and they purpose to dispute the right of Hyppolite to dispose of it as he saw fit.

It is stated that the contestants will be represented by Attorneys Knight and Heggerly, but when the former was seen at his office in the Parrott building this morning he refused to either deny or affirm the story of the proposed contest, and was exceedingly reticent regarding the affairs of the late commission merchant, with whom he was quite intimate.

NEW MOVE IN THE
DUTARD WILL CONTEST.

Mrs. Kleinclaus Says Hyppolite Dutard
Held His Millions Only in
Trust.

Mrs. Thekla Dutard Kleinclaus has petitioned for letters of administration on the estate of her father, Bernard Dutard, who died intestate in this city on October 13, 1865. This is in reality a proceeding in the contest for Hyppolite Dutard's \$3,000,000 estate.

Mrs. Kleinclaus alleges that when her father died, Hyppolite Dutard took charge of the estate as manager and that the property supposed to be that of Hyppolite was really the Bernard Dutard estate held in trust by the son.

The heirs-at-law of Bernard Dutard are Mrs. Kleinclaus, Leonce Dutard and several grandchildren.

Cole 21-
1900

NEW ISSUE RAISED IN
DUTARD WILL CONTEST

Mrs. Thekla Dutard - Kleinclaus
Says Deceased Held His Mil-
lions as a Trustee.

A petition for letters of administration upon the estate of the late Bernard Dutard was filed yesterday by Mrs. Thekla Dutard-Kleinclaus, decedent's daughter. The deceased died in this city October 13, 1865.

Mrs. Kleinclaus' petition in fact presents a new issue in the recently instituted contest of the will of the late Hyppolite Dutard, who left an estate valued at \$3,000,000.

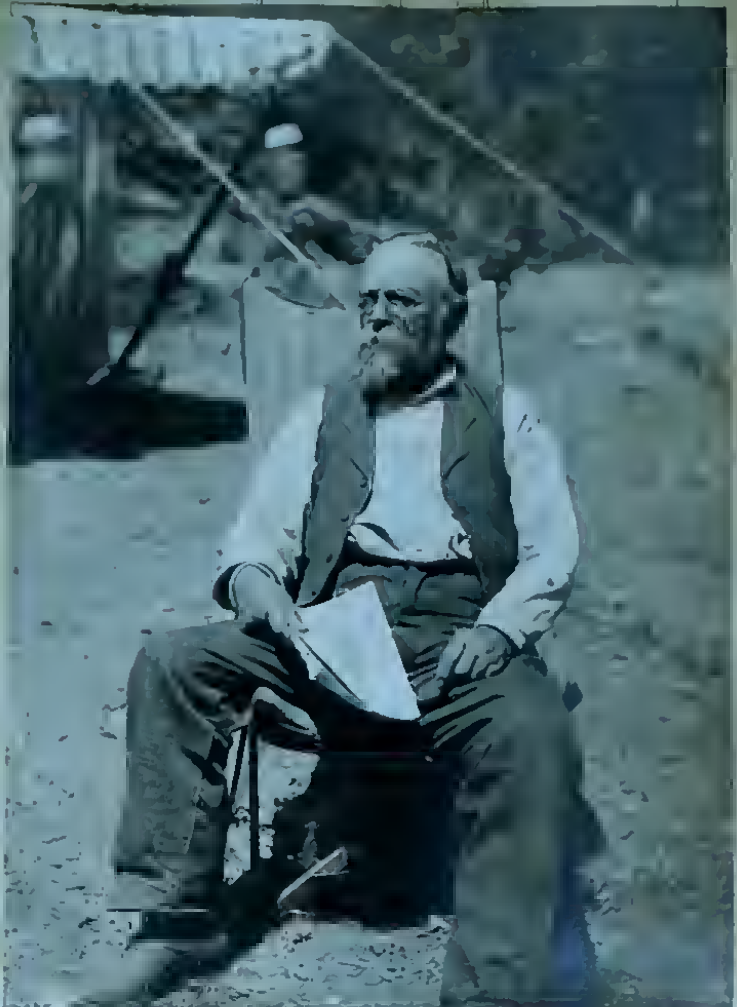
Mrs. Kleinclaus in her petition avers that Hyppolite Dutard took charge of her father's estate after his death and the property supposed to be that of Hyppolite Dutard was in fact that of Bernard Dutard, but was held in trust by his son.

The heirs at law of Bernard Dutard are Mrs. Kleinclaus, Leonce Dutard and several grandchildren.

TO BATTLE FOR
THE DUTARD ESTATE.

As preliminary to a contest for the estate of the late Hyppolite Dutard, Mrs. Thekla Kleinclaus has applied for letters of administration upon the estate of the late Bernard Dutard, her father, who died in this city in 1865, without leaving a will. She states that her father's property was taken in charge by her brother, Hyppolite, with the understanding that it should be managed by him for the benefit of all the heirs. When he took possession of the property of the decedent it was valued at \$15,000; when he died it was worth nearly \$800,000. Hyppolite Dutard in his will, dated March 4, 1890, bequeathed all of his estate in his wife, Eliza Dutard. He said that all of his estate was community property, acquired after his marriage. He appointed his wife, Walter D. Sheldon, Charles B. Stone and William C. Barnard as the executors of his will. Stone has died, and, under a provision in the will, James Hogg will take his place. Bernard was Dutard's confidential clerk.

It is the intention of Mrs. Kleinclaus, when appointed administratrix of the estate of her father, to institute legal proceedings to recover it from the estate of Hyppolite Dutard, and, if her allegations be correct and she should be successful, she will deprive Hyppolite Dutard's widow of most of the wealth bequeathed to her without disturbing the probate of the will. Mrs. Kleinclaus' demand is that the large estate should be divided between herself, her brother Leonce and the heirs of her deceased brothers and sisters. Leonce Dutard is living at Santa Rosa. Among the grandchildren of Bernard Dutard, on whose behalf a share of the property is to be demanded, are Alice Kytka, Clara Blanchet, Belle Shuster, Charles D. Kleinclaus, Fannie Dutard, Charles de S. Houghton, Walter D. Sheldon and Leonce C. Sheldon.



Sept 21-1900

LEGAL WAR FOR
DUTARD'S RICHES

INITIAL STEP TAKEN
BY MRS. KLEINCLAUS.

SHE ALLEGES THAT HIS WEALTH
WAS REALLY THE ESTATE
OF HER FATHER.

Makes the Assertion That He Held
It in Trust for the Benefit
of His Brothers and
Sisters.

The first step in the contest over Hyppolite Dutard's estate, valued at \$800,000, has been taken in the Probate Court. Mrs. Thekla Dutard Kleinclaus has applied for letters of administration on the estate of her father, Bernard Dutard, who died in this city on October 13, 1865, without leaving a will. She stated that his property was taken in charge by his son, Hyppolite Dutard, who died on April 15, 1900. Hyppolite Dutard held and managed the property in trust for the heirs of the father, and, with the increase, it now constitutes Hyppolite Dutard's estate, she alleges. At the time of Bernard Dutard's death his commercial business, realty and personal property were valued at more than \$15,000. His wife, Mrs. Josephine Dutard, and four of their six children—Mrs. Emma Dutard Sheldon, Mrs. Alice Dutard Labadie, Eugene and Hyppolite Dutard—have died. One son, Leonce, is living.

Hyppolite Dutard, in his will, dated March 4, 1890, bequeathed all of his estate to his wife, Eliza Dutard. He said that all of his estate was community property, acquired after his marriage. He appointed his wife, Walter D. Sheldon, Charles B. Stone and William C. Barnard as the executors of his will. Stone has died, and, under a provision in the will, James Hogg will take his place. Bernard was Dutard's confidential clerk. Dutard was a well-known community merchant.

Mrs. Kleinclaus, when appointed administratrix of her father's estate, will institute legal proceedings to recover it from the estate of Hyppolite Dutard, and, if her allegations be correct and she should be successful, she will deprive Hyppolite Dutard's widow of most of the wealth bequeathed to her without disturbing the probate of the will. Mrs. Kleinclaus' demand is that the large estate should be divided between herself, her brother Leonce and the heirs of her deceased brothers and sisters. Leonce Dutard is living at Santa Rosa. Among the grandchildren of Bernard Dutard, on whose behalf a share of the property is to be demanded, are Alice Kytka, Clara Blanchet, Belle Shuster, Charles D. Kleinclaus, Fannie Dutard, Charles de S. Houghton, Walter D. Sheldon and Leonce C. Sheldon.





HON. J. K. C. HOBBS.

HON. J. K. C. HOBBS.

Hon. John K. C. Hobbs is senior member of the long established firm of Hobbs, Wall & Co., box makers, lumber dealers and steamship owners. Mr. Hobbs has resided in this city since boyhood. He went into the business he is now engaged in when quite a young man, his father, the late Caleb Hobbs, having started the business late in the fifties. Some years ago Mr. Hobbs was elected Supervisor 11th Ward and he made a record to be proud of. He opposed the corporations and bosses in their attempts to put jobs through. He fought with a vim every obnoxious measure and did much to lower the tax rate. Mr. Hobbs is a practical business man who believes public business should always be transacted on a strictly methodical basis. Mr. Hobbs while a supervisor did much to improve the streets and sewers of the Mission. He caused a fire house to be built and engine company organized to protect Ocean View. Mr. Hobbs resides in the Mission where he is extremely popular among all classes.

Post. March 5. 1901.

DUTARD'S MILLIONS
ARE IN DISPUTE

Mrs Kleinclaus Inaugurates Lit-
igation for Valuable Estate.

An interesting family dispute developed in Judge Coffey's court to-day when Mrs. Thekla Kleinclaus filed an application for letters of administration upon the estate of her mother, Annelina Dutard, who died in 1875.

The action grew out of the death of Hippolyte Dutard, the late well known commission merchant, who died in April, 1899, leaving an estate worth about \$3,000,000 to his widow and other heirs.

Hippolyte Dutard and Mrs. Kleinclaus are the children of Bernard Dutard, who died in 1865. It appears that Hippolyte uninterruptedly continued his father's business from the date of the latter's death until his own demise.

According to Mrs. Kleinclaus her brother never secured letters of administration upon his father's estate and in her self applying for letters at this time she seeks to secure an accounting of the affairs of her father's business, of which she was joint heir with her brother. Messrs. Knight & Heggerty are attorneys for the petitioner.

The decision under the will of Hippolyte Dutard will settle the application. They claim the older Dutard's business was worth nothing at his death and that the success achieved by Hippolyte Dutard in his business was due to his individual efforts and that Mrs. Kleinclaus, therefore, has no valid interest in his estate. Attorney Charles S. Wheeler represents the Dutard heirs.

MUST REPORT ON
AN OLD ESTATE

Executor Called on for an
Account After Thirty-
Four Years.

OAKLAND, February 13.—After the lapse of thirty-four years Henry Kirk Goddard is called upon to make a report of his stewardship as the executor of the will of Fanny Goddard, who died in this city in 1861.

Oakland was young when Mrs. Goddard's will was filed for probate and the probate cases numbered only 185; now there are many thousands. Henry Kirk Goddard was her son—by adoption, it is said—and to him she left her real estate, 200 feet on Twelfth street by 125 on Jefferson street, and 15 feet on Thirteenth by 125 on Jefferson street. From the remainder of the estate she gave her sister, Mrs. Sarah Rutherford, \$1000; her niece, Sophia P. Morse, \$1000; C. A. Colby, \$500; Catherine Feich, \$500; Mrs. M. A. Emery, \$200; to the First Congregational Church, \$1000. The remainder of her estate she devised in trust to the Rev. S. H. Willey, to be used for educational purposes, as the trustee and board of trustees of the church might direct. The will named D. P. Barstow, S. H. Willey and Henry Kirk Goddard as executors to serve without bonds. Barstow declined to serve and Willey resigned in 1871. Goddard continued to administer on the estate and the realty was appraised at \$10,000 by E. Bigelow, Edwin Hunt and L. E. P. Sanford. The smaller tract is worth much more than that to-day.

In 1871, while acting as lone executor, Goddard sold to Edwin Hunt the realty described for \$13,500. To-day Oliver Hawes, Rosa Rosenberg, Charles Mau, O. B. Smith, the Vainpbell Investment Company and George Stone filed a complaint alleging that none of the bequests except that to Mrs. Rutherford had been paid, and that in all these years Goddard had made no report of his administration of the estate. They alleged that they purchased their property from Hunt, and asked that the executor be cited to appear in court and make due returns and that the estate be distributed in accordance with the deeds they held. In the petition for the probate of the will filed in 1867 the executors said its value would not exceed \$25,000.

BATTLE FOR THE
DUTARD ESTATE

The Millions of the Late Commission Merchant in Violent Dispute.

SISTER PLANS TO
OBTAIN ACCOUNTING.

Property of Parents Said to Have
Been Used in Building Up
Wealthy Business.

The first step in the contest of the will of the late Hippolyte Dutard was taken in Judge Coffey's court to-day when Mrs. Thekla Kleinclaus, a sister of the deceased, made application for letters of administration upon the estates of her deceased father and mother. Mrs. Kleinclaus, who is an attractive and refined woman of middle age, testified that no administration was had upon the estates of either her father or mother.

Her father died in 1865 and her mother in 1875. After her mother's death Hippolyte Dutard obtained letters of administration upon her property, but he never concluded the proceeding and died leaving the estate unsettled.

After his father's death Dutard carried on the commission business, which the latter founded in the early fifties, and managed it with such success that it subsequently acquired a value of \$3,000,000. Before Dutard died last April he bequeathed all his property to his widow.

According to Mrs. Kleinclaus the estate he thus disposed of was the natural increase of the money left by her father. She therefore takes the position that as one of the heirs of her father she is entitled to a share of the property. In other words, she contends that her brother acted as the trustee of the heirs of the elder Dutard and that it was in that capacity that he built up a fortune for over \$3,000,000.

Mrs. Kleinclaus is represented in her contest by George A. Knight and Charles J. Heggerty. Charles S. Wheeler represents the heirs of Hippolyte Dutard. He takes the position that the property in dispute was built up by Hippolyte Dutard by his own exertions and that nothing was received by him from the estates of his father and mother.

Should Mrs. Dutard be successful in her suit she will, as administrator, bring suit against the executors of her brother's estate and compel them to account for the money received from her father and mother and to explain its use by Hippolyte Dutard in building up the commission business of Dutard & Co.

Bulletin
March 5
1901

March 6 - 1901

THE EXAMINER, SAN FRANCISCO: WEDNESDAY

WIDOW AND SISTER OF DUTARD ARE FIGHTING FOR HIS MILLIONS



THE LATE MILLIONAIRE PRODUCE MERCHANT, HYPPOLITE DUTARD; HIS WIDOW, MRS. ELIZA DUTARD, TO WHOM HE LEFT HIS FORTUNE, AND HIS SISTER, MRS. KLEINLAUS, WHO HAS BEGUN A LEGAL CONTEST FOR A SHARE IN THE ESTATE.

FOR the \$3,000,000 estate of Hyppolite Dutard a legal struggle was begun in Judge Coffey's court yesterday, the opposing parties being Mrs. Thekla Dutard-Kleinlaus, sister of deceased, and Mrs. Eliza C. Dutard, surviving widow.

When Dutard died, April 16, 1900, it was announced he had bequeathed his entire fortune to his widow. No attack is made directly on the will, but Mrs. Kleinlaus avers that her brother was merely the trustee for the property standing in his name, saying that he obtained the property from their parents, Bernard Dutard and Josephine Dutard. She asked permission to prove this and accordingly applied for letters of administration on the estate of her father and mother, so that she might sue the estate of her brother.

This application was opposed by Bishop, Wheeler & Hoeller, attorneys for Mrs. Dutard. Charles S. Wheeler suggested that there are no tangible assets belonging to either estate mentioned by Mrs. Kleinlaus, and that all she could administer on was the shadow of a claim against the estate of Hyppolite Dutard, son of the elder Dutards and brother of the claimant.

Knight & Heggerty, for Mrs. Kleinlaus, drew attention to the allegation in their client's petition that Hyppolite Dutard had taken out letters of administration in the estates of both his parents, but had not proceeded with the settlement, and that Mrs. Kleinlaus was seeking appointment to fill the vacancy caused by her brother's death.

After hearing the testimony of Mrs. Kleinlaus, her petitions for letters of administration were granted by Judge Coffey, and the litigation will begin at once.

Mrs. Kleinlaus says that both her mother and father died intestate. Her version of the founding of the Dutard fortune is that her father, Bernard Dutard, left France in 1839 and for several years was in business in Peru. In 1849, December 24th, he arrived in San Francisco, bringing his family and \$36,000 in gold. For a time he operated in the mines, but in 1852 established the commission house of B. Dutard, at which time he sent to France for his son by a former marriage, Leonce Dutard, who is yet living in the interior of the State.

When Hyppolite Dutard was nineteen years old his father died. While her father was sick, Mrs. Kleinlaus says, he heard that his son Hyppolite had changed the initial on the sign from "B" to "H" before the name Dutard; that the father sent for him too, telling him to change the sign back to its original reading, but to continue to run the business and to be a father to the other children.

Mrs. Kleinlaus says that the rights of the older members of the family were never disputed for many years and that there is in existence a will made by Hyppolite Dutard some time ago recognizing the claims of herself and Leonce Dutard, her half-brother. She declares that the will bequeathing all the property to Mrs. Eliza C. Dutard was made only two days before his death.

Bernard Dutard bore a conspicuous part in the affairs of the city of San Francisco. He was a member of the Vigilance Committee and was a leader in the lynching of Cora and Casey.

ATTEMPT TO BREAK THE DUTARD WILL

Mrs. Kleinlaus Institutes a Contest Against Brother's Estate.

The long-expected litigation over the estate of the late Hyppolite Dutard, which was forecasted some time ago by "The Post," came to an issue today, proceedings to contest the will having been filed in the Superior Court.

The contestant is Mrs. Thekla Dutard-Kleinlaus of this city, a sister of the deceased. Through her attorneys, Knight & Heggerty, she filed notice of contest, alleging that the will was executed in the last days of Mr. Dutard's life, when his mind was weakened by illness. She asks to have the will set aside so that she may share in the estate.

Mr. Dutard died on April 16, 1900. His will was executed March 4 and the entire estate was bequeathed to the widow, Eliza Dutard. It was valued at about \$2,500,000.

Mrs. Kleinlaus now declares that her brother was subjected to undue influence at a time when his mind was not rational and that on account of this influence he was prevailed upon to leave his entire estate to his widow, denying his other heirs of any portion of his accumulated wealth.

It is also alleged in the complaint that Mrs. Kleinlaus is the executrix of the estate of her father and mother, both of whom are dead. She declares that it was largely from the income of this estate that Hyppolite Dutard was enabled to accumulate his fortune, and for that reason she believes she should be entitled to some share in the estate.

It is expected that Leonce Dutard of Santa Rosa, a brother of Mrs. Kleinlaus, will also institute contest proceedings or join with his sister in this attempt to break the will.

Post Apr 30 1901

Chronicle: March 6 - 1901.

SEEKS SHARE OF THE RICHES LEFT BY HYPPOLITE DUTARD.



Mrs. Kleinclauss Named as Executrix of the Estate.

AN ESTATE valued at millions of dollars was left by Hyppolite Dutard, who was long a prominent figure in the mercantile community of San Francisco. He bequeathed all of it to his wife, Eliza Dutard; but now his sister, Mrs. Thekla Kleinclauss, without contesting his will, has taken steps to obtain part of this wealth. She was on the witness stand yesterday in Judge Coffey's court. She said that Dutard obtained his riches in the business which their father, Bernard Dutard, conducted until his death in 1865, and which Hyppolite Dutard afterwards managed for the benefit of their mother, Joaquina Dutard, and of the other members of the Dutard family. There were six children in the family, but only two of them, Mrs. Kleinclauss and her brother Leonce, survived Hyppolite. Mrs. Dutard, the mother, died in 1895.

In 1891 Hyppolite secured letters of administration on the estate of his mother. In his petition, which was filed by Attorney Bishop, it was stated that the value of her estate was only \$50 and that he was her heir, no mention being made of her other children. The estate not having been settled, Mrs. Kleinclauss petitioned in last September, after Hyppolite Dutard's death, for appointment as administratrix. She also asked for appointment as administratrix of her father's estate. Both petitions were granted by Judge Coffey yesterday, and Mrs. Kleinclauss will proceed to demand an accounting from Hyppolite Dutard's estate.

At the hearing yesterday Attorney

Charles S. Wheeler, who represents Hyppolite Dutard's estate, appeared as a friend of the court and opposed the petition. He said that Mrs. Kleinclauss' claim was legally stale. When questioning her as to how she knew that the money due to her father's estate belonged to her father, and was not sent there simply to be sold on commission, he remarked, "I don't think you know anything about it." Her attorney, Charles Heggerty, considered this remark improper, and Judge Coffey was led to observe that his attorney should not reflect in court on another attorney's motives for his utterances.

"How many bags of potatoes were in your father's store?" Wheeler asked.

"I don't know," I didn't go down there to count bags of potatoes," responded Mrs. Kleinclauss, calmly.

"How do you know that your father

owned them?"

"How do I know that I exist?"

Mrs. Kleinclauss said that she was married in 1863, and added, "We were a united family until Hyppolite married. Then came dissensions."

Wheeler argued that "It was absurd to think that for thirty-five years Hyppolite Dutard carried on a trust for the benefit of these people." Attorney Heggerty stated that the time for presenting claims against Hyppolite Dutard's estate would expire next Friday, and so it was necessary that Mrs. Kleinclauss should be given without delay the right to file a claim as administratrix.

An appointment of Dutard's estate has not been filed yet, and Heggerty threatened that it was withheld so that Mrs. Kleinclauss might not get the particulars as to the property that Dutard held.

Garrison Apr. 1. 1901

Mrs. Violet Carey returned from her northern trip on last Saturday. James Hogg, who, with his wife and daughter, recently sailed for Hongkong, has not reached his destination. Mr. Hogg is still ill with pneumonia in Yokohama and it will be several weeks before he will be well enough to travel.

Call March 5, 1901

CLEARING WAY FOR WILL CASE

Hypolite Dutard's Sister Claims Decedent's Estate Was Not His.

Avers That the Brother's Fortune Was Malted From Business Founded by Their Father.

The introductory step in the contest of the will of the late Hypolite Dutard was taken in Judge Coffey's court yesterday. Mrs. Thekla Kleinclauss, decedent's sister, made application at the opening of the morning session for letters of administration upon the estate of her father and mother, Bernard and Josephine Dutard.

Hypolite Dutard died in April, 1900, leaving an estate valued at \$2,500,000, his widow and other heirs. Mrs. Kleinclauss now alleges that the estate left by Hypolite Dutard was not his in fact, but was held by him as a trustee. She avers that the business from which he netted his fortune was founded by Bernard Dutard, that upon his death in 1896 the same was taken charge of by Hypolite Dutard, who never took out letters of administration upon his deceased parents' estate, and that hence he simply conducted the business as a trustee in his own and the interest of other heirs of Bernard Dutard.

In the preliminary action Mrs. Kleinclauss seeks to establish a basis upon which to file an action for an accounting of the business conducted by the deceased from the date of the death of his father up to the time of his own death. Mrs. Kleinclauss is represented by Knight & Hegerly.

The devise under the will of Hypolite Dutard claims Bernard Dutard's business was worth nothing at his death and that the success achieved by Hypolite Dutard was due to his individual efforts and that hence Mrs. Kleinclauss has no valid claim to any portion of his estate. The devisee are represented by Attorney Charles A. Wheeler.

CONTEST OF DUTARD WILL

Mrs. Thekla Kleinclauss Demands a Share of Her Brother's Estate.

UNDUE INFLUENCE AND UNSOUNDNESS OF MIND.

Favorable Will Revoked to Give Way to Instrument Now Disputed.

Mrs. Thekla Kleinclauss, today filed in the Superior Court a contest of the will of her late brother, Hypolite Dutard, who died in this city on April 15, 1900. She alleges that the deceased was induced to make the will she disputes while ill and unsound in mind. According to her complaint, Dutard executed a will some years ago in which he provided for her and for her brother, Leonce Dutard.

When he became ill it is asserted that his wife and others having his confidence prevailed upon him to make that instrument and make a will leaving his entire fortune to Mrs. Dutard. The estate is said to be worth \$2,500,000. It consists of a commission business in this city and several large ranches in California, Oregon and Washington.

The commission business was established by Dutard's father in 1860. When the father died his son succeeded to the business and managed it without making any account to his father's estate.

It is asserted by Mrs. Kleinclauss that in carrying on the business Dutard acted as trustee for the other heirs of the estate, herself and her brother. Mrs. Kleinclauss has already made this point before Judge Coffey and has secured her appointment as administratrix of the estate of her father and mother in order that she may sue the estate of her brother for an accounting if she should decide that such a step is necessary.

Mrs. Kleinclauss is represented by Knight & Hegerly. Leonce Dutard has announced that he will shortly file a contest similar to that instituted by his sister. Both proceedings will probably be heard together.

SISTER CONTESTS DUTARD'S WILL.

Says It Was the Result of a Conspiracy and Mental Unsoundness.

ALLEGED SCHEMERS IN THE BACKGROUND.

DECEIT AND FRAUD CHARGED IN THE PETITION OF MRS. KLEINCLAUS.

She Declares That the Wealthy Merchant Was Overcome by Narcotics Administered to Him While Ill.

Mrs. Thekla Dutard Kleinclauss, sister of Hypolite Dutard, who died in April, 1900, and whose estate she valued at \$2,500,000, began a contest of his will yesterday. The will was admitted to probate on May 2, 1900, and she asked that this admission be revoked. Dutard bequeathed his property to his wife, Eliza Dutard. Mrs. Kleinclauss alleged that the testator was of unsound mind when the will was made on March 4, 1900, and that he was unduly influenced by persons whose names she did not know. She said that he suffered from Bright's disease and other ailments which weakened him mentally as well as physically, and that for many weeks he was kept under the influence of narcotics and medicines that deadened his senses and impaired his power to understand what he was doing. She alleged that the will was placed before him by conspirators, who obtained his signature to it by deceit and fraud.

Judge Coffey set the hearing on the petition for May 28th. Leonce Dutard, of Santa Rosa, decedent's brother, may join in the contest. Mrs. Kleinclauss said that she expected to establish the details of the alleged conspiracy and to discover the identity of the conspirators at the inquiry in court.

She recently took steps to secure a part of the estate by other means than a will contest. She said that Hypolite Dutard's estate was mainly the product of the property that was left by her father at his death, many years ago. The father was the founder of the profitable commission business which was carried on by Hypolite Dutard. He secured letters of administration on the estates of his parents, but did not settle them up, and Mrs. Kleinclauss lately was appointed administratrix by Judge Coffey. She contends that her brother was merely the trustee of the estates of her parents, and that an accounting ought to be had to ascertain how much his estate owes their estates. Whatever the amount may be, it will go to her and her brother, Leonce.

Ex March 28-1901

Call 1

Philippine Dutard Trade.

The estate of Hypolite Dutard has been sued by the H. A. Williams Company for \$5,000 on account of a contract said to have been made by Dutard a short time before his death, for the sale and delivery of 200 tons of sugar. The duty is said to have been paid, but owing to the continued bankruptcy of the Philippine shippers of the product have not been able to fill their contract.

QUESTIONS SOUNDNESS OF HYPOLITE DUTARD'S MIND

Thekla D. Kleinclauss Files Contest to Decedent's Will and Makes Various Charges.

A contest to the will of the late Hypolite Dutard was filed yesterday by Thekla Dutard Kleinclauss, decedent's sister.

Hypolite Dutard died April 15, 1900, leaving an estate valued at \$2,500,000. On April 18, 1900, decedent's will was offered for probate. The will was dated March 4, 1900, and was accompanied by a codicil bearing date of March 31, 1900.

This will and codicil, Mrs. Kleinclauss alleges, were executed by the deceased, ill at all, while he was of unsound mind. Divers persons, she alleges, also conspired to secure a will in their favor and, taking advantage of Dutard's unsoundness of mind and the fact that he was kept under the influence of drugs and narcotics, they unduly influenced him to execute a will in their favor and against the interests of the willmaker.

Mrs. Kleinclauss is represented by Attorneys Knight & Hegerly. The contest has been assigned to Judge Coffey's department for trial.

WILL FOR \$2,500,000 SAID TO BE INVALID.

Mrs. Thekla Dutard-Kleinclauss Charges That Her Brother, Hypolite Dutard, Was Incompetent.

Content of the will of the late Hypolite Dutard has been begun by Mrs. Thekla Dutard-Kleinclauss a sister of the decedent. It is averred by Mrs. Kleinclauss that the value of the estate is \$2,500,000.

Mrs. Kleinclauss alleges that when Dutard died in this city April 15, 1900, he left a widow, Mrs. Eliza Dutard, but no children. Mrs. Kleinclauss declares that her brother did not in reality execute the document which purports to be his will. She says that at the time of the alleged execution of the will, March 4, 1900, he was of unsound mind. It is charged that the signature of Dutard to the will in question, if really made by him, was procured by artifice. She avers that certain persons conspired to influence improperly and persuade him to make a will by which they would be benefited, hoping to supersede it by a will in which Mrs. Kleinclauss says that she and her children are named as legatees for a substantial part of the estate.

It is charged by the contestant that Dutard was kept under the influence of narcotics and other medicines for some time prior to March 4, 1900, and up to the time of his death.

Dutard's will, the validity of which is disputed, contains the following: "All of my estate, of whatever kind and wherever situated, is continuously property of my marriage with my wife Eliza Dutard. After payment of all my just debts I give, devise and bequeath to my wife, Eliza Dutard, all of my estate, to have and to hold, to her and her heirs and assigns forever."

Shawville March 28 1901

Suits in the Superior Court.

William H. Bone, a miner, sued the Rapid Silver Mining Company and the Mexican Gold and Silver Mining Company yesterday for \$10,000 for personal injuries. He was employed in the Federal tunnel at Virgilia, Nev., on April 20, 1900, when an unexpected explosion of blasting powder took place. Bone said that he was mangled by the explosion, his eye sight was destroyed and his hearing almost ruined. He had been a miner as well as a miner, but now cannot earn a livelihood.

The H. A. Williams Company sued Hypolite Dutard's estate yesterday for \$50,000 damages because, as alleged, a contract for the delivery of 200 tons of sugar, 4 of the crop of 1900 at \$2.75 per cent was not kept.

Mrs. Ellen M. Wetherbee sued Dr. F. L. Loring for payment of a note for \$200 made on April 1, 1898.

Continued from page 12.
Haines, both of the State of Nevada.
HUME-DUTARD-In Alameda, November 27, by the Rev. Dr. Lamy, Better Union and Friends J. Haines, both of San Francisco.
LANTIER-DUNN-CHURCH-In this city, December 10, at the Palace Hotel, by the Rev. Dr. L. H. Hume, Pastor of the First Baptist Church, Chicago.

DUTARD'S ESTATE WORTH LESS THAN A MILLION

The Appraisers Find Its Value to Be a Little More Than \$800,000.

The inventory and appraisal of the estate of the late Hippolyte Dutard were completed yesterday by George W. Brown, Warren R. Porter and George W. Brown at \$800,000.

The inventory and appraisal of the estate of the late Hippolyte Dutard were completed yesterday by George W. Brown, Warren R. Porter and George W. Brown at \$800,000.

The balance of the estate is made up of personal property, small real estate holdings and stocks and bonds.

Hippolyte Dutard's Estate.

Hippolyte Dutard's estate has been appraised at \$877,964 by Warren R. Porter, W. H. Crim and George W. Brown. The inventory was filed yesterday in Judge Coffey's court. Dutard owned the Bank of California \$25,000, for which amount he had hypothecated his stock of merchandise. The merchandise was sold after his death by the bank and the proceeds applied to the payment of part of this indebtedness. Dutard owned twelve ranches in Santa Barbara county and partly in several other counties. Two claims of the Bank of California against the estate have been approved by the executors and allowed by Judge Coffey. One is for \$750,000 and the other for \$100,000. The \$750,000 is the balance due on his individual notes, which aggregated \$250,000. In addition to the merchandise mentioned, Dutard gave the bank as security his share of the City Street Improvement Company's stock. The \$100,000 was advanced by the bank for the use of the City Street Improvement Company, and the guarantee that it would be repaid was signed on April 3, 1901, by Dutard, Thomas B. Bishop, J. H. Brown, J. W. McDonald and W. H. Davidson. The executors said Dutard's membership in the San Francisco Produce Exchange last year to Frederick Maurer for \$100.

LAVISHED MONEY ON TRANSISTHMIAN PLANS.

Hippolyte Dutard Subscribed for Stock in the Panama and the Nicaraguan Canal Undertakings.

The assets of the late Hippolyte Dutard are being appraised by William H. Crim, Warren R. Porter and George W. Brown at \$877,964.

The assets consist mainly of land in Alameda, Santa Barbara, San Luis Obispo, San Jose, Costa Rica and San Francisco counties.

Dutard seems to have had a penchant for Transisthmian canal companies, as the list of his property shows that he owned several thousand dollars in the Nicaraguan Canal Company, the Maritime Canal Company and the Panama Canal Company.

Following are some of the main items in the list of assets:

Open accounts due the estate, \$74,524; personal property on Richmond farm, \$3,000; personal property on Jacobsville and Casimira ranches, \$35,000; personal property on Johnson ranch, \$6,000; Casimira ranch, \$24,000; Steel ranch, \$2,000; Jacobsville ranch, \$73,000; Lake View ranch, \$13,250; Santa Barbara land, \$9,000; Johnson ranch, \$22,200; Santa Maria ranch, \$5,150; Johnson ranch, \$1,000; Johnson ranch, \$20,000; Santa Barbara property, \$1,000; Richmond farm, \$1,000; Phoenix mine, \$150.

At the time of Dutard's death he owed the Bank of California \$25,000 the payment of which was secured by the hypothecation of a large quantity of beans, wheat and oats. The personal property thus held was sold by the bank in the regular course of business for the liquidation of the debt.

In a declaration of will contest by Mrs. Kleinlaus, sister of the decedent, the value of the estate of Dutard is estimated to be over one million dollars.

Bulletin May 11 1901.

JOHN H. BOALT GOES TO HIS LAST REWARD.

Ex-Judge John H. Boalt, formerly a member of the law firm of Garber, Boalt & Bishop, died yesterday at his summer residence near Cloverdale. Judge Boalt had not engaged in the practice of his profession since his retirement from the firm in 1892, and for the past few years has been an invalid. A month ago he was taken to the country in the hope that the change would be beneficial to his health, but for the past few days the sufferer sank rapidly till the end came.

Judge Boalt was born in Norwalk, Ohio, in 1837. After completing the course at Amherst College he pursued graduate studies in mining engineering in Germany for three years. While young Boalt was in Germany the Civil War broke out in the United States and he hastened home to enlist in the Union army. He was commissioned Lieutenant in the Eleventh Ohio Cavalry. He served throughout the war. After the cessation of hostilities he joined the throng of fortune-seekers attracted westward by the stories of the fabulous wealth of the Comstock lode in Nevada. For a time he engaged profitably in mining, but was soon drawn into the legal profession, in which he rapidly attained prominence.

When Judge Beatty, now Chief Justice of the California Supreme Court, left Nevada to come to this State in 1870 Judge Boalt was given his place on the Nevada bench. He completed his term as Judge and then, in 1871, came to San Francisco and started the law firm of Estee & Boalt, in which he was a partner until 1884. He then took a vacation of two years, traveling in Europe with his family. In 1889 he became associated in the firm of Garber, Boalt & Bishop, a partnership he continued until ill health compelled him to retire from active life.

Deceased leaves a widow, Mrs. Elizabeth J. Boalt. The only other surviving relative is his granddaughter, Miss Alice Boalt Tevis, daughter of his only child, Alice, who was the first wife of Hugh Tevis.

Heart failure was the immediate cause of Judge Boalt's death. The funeral services, which will be private, are to be held from the late residence at 1003 Twelfth street, Oakland, on Sunday.

NOTICE TO CREDITORS—ESTATE OF JONQUILA DUTARD. Decedent. Notice is hereby given by the undersigned, Thekla Dutard Kleinlaus, administratrix of the estate of Jonquila Dutard, deceased, to the creditors of said decedent, to exhibit their claims against the said decedent, to exhibit them with the necessary vouchers, within ten months after the first publication of this notice, to the said administratrix, at the law office of Knight & Haggerty, attorneys for said administratrix, at room 312, Parrott Building, 825 Market street, San Francisco, California, the same being the place for the transaction of the business of the said estate in the city and county of San Francisco, State of California.

THEKLA DUTARD KLEINLAUS, Administratrix of the Estate of Jonquila Dutard, deceased.

Dated at San Francisco, May 15th, 1901. KNIGHT & HAGGERTY, Attorneys for Administratrix, 812 Parrott Building, San Francisco, Cal.

NOTICE TO CREDITORS—ESTATE OF BERNARD DUTARD. Decedent. Notice is hereby given by the undersigned, Thekla Dutard Kleinlaus, administratrix of the estate of Bernard Dutard, deceased, to the creditors of said decedent, to exhibit their claims against the said decedent, within ten months after the first publication of this notice, to the said administratrix at the law office of Knight & Haggerty, attorneys for said administratrix, at room 312, Parrott Building, 825 Market street, San Francisco, California, the same being the place for the transaction of the business of the said estate in the city and county of San Francisco, State of California.

THEKLA DUTARD KLEINLAUS, Administratrix of the Estate of Bernard Dutard, deceased.

Dated at San Francisco, May 15th, 1901. KNIGHT & HAGGERTY, Attorneys for Administratrix, 812 Parrott Building, San Francisco, Cal.

my 15/01

Mrs. Kleinlaus' Demands.

Eliza Dutard, Walter D. Sheldon, William C. Barnard and James Hogg, executors of the will of Hippolyte Dutard, filed their first account yesterday. According to this account the executors have expended \$32,251.54 and have rejected claims amounting to \$5,713,333. The claims rejected were presented as follows: By Thekla Dutard Kleinlaus for one-fifth of decedent's estate, \$50,000; by Thekla Dutard Kleinlaus, as administratrix of the estate of Jonquila Dutard, for an amounting, \$1,250,000; by Thekla Dutard Kleinlaus, as administratrix of the estate of Bernard Dutard, for one-half part of the estate, \$1,250,000; by Thekla Dutard Kleinlaus, claim for proceeds of property of estate of Bernard Dutard, \$2,500,000; by Leon Dutard, claim for one-twelfth part of the estate, \$208,333, and claim presented by H. A. Williams' Co. for alleged loss under contract, \$800. The claims of Mrs. Kleinlaus amount to several times the value of decedent's estate. The receipts have aggregated \$33,641.31, which leaves a balance in the hands of the executors of \$32,251.54.

Large Claims Rejected.

Eliza Dutard, Walter D. Sheldon, William C. Barnard and James Hogg, executors of Hippolyte Dutard's will, filed their first account yesterday in Judge Coffey's court. They stated that they had rejected the following claims of Dutard's brother and sister, Leonie Dutard, claim for one-twelfth of the estate, \$208,333; Mrs. Thekla Dutard Kleinlaus, claim for one-fifth of the estate, \$50,000; Mrs. Kleinlaus as administratrix of the estate of Bernard Dutard, her mother, claim for half of the estate, \$1,250,000; Mrs. Kleinlaus as administratrix of the estate of Bernard Dutard, her father, claim for the whole estate as the proceeds of her father's property, \$2,500,000. The account shows that the executors received \$33,641.31 between May 5, 1900, and April 29, 1901, and disbursed \$32,251.54.

CHARLES B. STONE LEFT VALUABLE PROPERTY.

The appraisers of the estate of the late Charles B. Stone have filed a report of the value of the deceased's property with Judge Coffey. They appraise the estate at \$136,218.11. The most important asset of the deceased is stock in the City Street Improvement Company, said to be worth \$25,000. One hundred shares of the stock of the Bank of America are valued at \$11,500. Nine hundred shares in the Western Railroad Company are valued at \$12,000. The deceased held considerable real property in different parts of the State. One piece of 6 acres in Humboldt County is appraised at \$25,000.

June 9 1901

Mr. and Mrs. James Hogg have returned from their trip to the Orient.

Adding telephone number. The only reason for a new number is that the old one was too small.

Mrs. Hippolyte Dutard is planning to remain in San Mateo all summer. Mr. Hogg has taken a house on San Mateo Heights for several months.

Mrs. Hippolyte Dutard and her niece, Mrs. Houghston nee Sheldon, have taken the W. H. Mills place at San Mateo for several months.

Chronicle June 5-1901

MORE SUITS FILED
IN DUTARD ESTATE.

The number of suits filed by Thekla Dutard Kleinclaus to recover a portion of the estate of the late Hyppolite Dutard has been augmented by the filing of another suit, in which Mrs. Kleinclaus demands judgment against the estate for \$200,000. Leonce Dutard, a brother of the deceased, has also filed a suit against the executors of decedent's will, in which he asks the court to declare a trust on property included in decedent's estate, valued at \$200,000, which the plaintiff alleges the deceased received in trust from his father, Bernard Dutard, who died in 1865.

CLAIMANTS SUE
FOR A FORTUNE.

New Feature in the Battle
Over the Dutard
Millions.

Litigation over the estate of the late Hyppolite Dutard was complicated yesterday by two suits filed in the Superior Court. The plaintiff in one suit is Thekla Dutard Kleinclaus, a sister of the deceased. The other action is brought by Leonce Dutard, a brother. Both suits are based on claims which were filed against the estate in the Probate Court. The claims were rejected by the executors. Mrs. Kleinclaus made a judgment for \$200,000, which represents one-third of the estate. Leonce Dutard demands one-twelfth of the estate, amounting to \$25,000.

The claims of Mrs. Kleinclaus and her brother rest upon the proposition that Hyppolite Dutard's last estate was held by him as trustee. The Dutard business was founded by Bernard Dutard, the father of the claimants, in 1852. Bernard Dutard died in 1865, at which time Hyppolite Dutard was a minor and employed in the store under father. The claimants say that Hyppolite then assumed control of the business by consent of all the heirs, with the understanding that he was to handle and administer the property for the mutual benefit of himself, his mother and his brothers and sisters. This arrangement was continued after the death of the widow, which occurred December 18, 1875.

The claimants allege that at the time of the death of Bernard Dutard the son Hyppolite possessed no property in his own right. They assert further that Hyppolite never accumulated any separate estate except by use and investment of the property which he held as trustee. No accounting of the trust was ever rendered. Demand is now made for such an accounting and for the appointment of a receiver to take charge of all the property pending an adjustment of the rights of the claimants.

Mrs. Kleinclaus and her brother estimate the value of the estate held in the name of Hyppolite at \$2,500,000. They accuse the executors of having withheld from the inventory property of the estate in Oregon and Washington estimated by them to be worth at least \$500,000.

S.F.
June - 1901

Feu Hyppolite Dutard, que plusieurs de nos compatriotes ont connu et qui était un véritable homme d'affaires, serait bien étonné s'il voyait avec quelle ardeur on se dispute aujourd'hui la fortune qu'il a acquise par son travail et son intelligence. C'est à qui veut prendre part à la curée, et après les procès déjà intentés, deux nouvelles réclamations viennent de se produire, s'élevant à environ \$700,000, motivées par le fait que le défunt n'aurait fait que gérer pour sa famille la succession de son père, Bernard Dutard, décédé en 1865.

Fees of Lawyers and Doctors.

Abraham Halkey filed his account as executor of Robert R. Searle's will yesterday. It shows that the estate's cash and bank deposits amount to \$4,278.69. Blahon, Wheeler & Hatch were paid \$100 for services as the executor's attorneys and Attorney Martin Stevens received \$15 from the estate by Judge Trout's order. Dr. P. W. McNutt put in a bill for medical services and was allowed \$100. Dr. Winslow Anderson asked for \$30 and got \$25. Dr. Charles A. Dukes put in a claim for \$137.50, but accepted \$50. Other doctors who were paid for services were, Dr. W. F. Southard, \$50; Dr. J. G. Southard, \$20; Dr. A. H. Voorhis presented a claim for \$70, which was cut to \$35. Louis E. Phillips' claim for \$100 for legal services was rejected.

Mrs. Kleinclaus Files New Suits.

Thekla Dutard Kleinclaus instituted three more suits yesterday against Eliza Dutard with the object in view of gaining possession of a portion of the estate of the late Hyppolite Dutard.

SHE SUES FOR MILLIONS.

Mrs. Kleinclaus Demands All of Hyppolite Dutard's Estate.

Mrs. Thekla Dutard Kleinclaus sued the executors of the will of her brother, Hyppolite Dutard, yesterday for an accounting to her as administratrix of the estates of her parents, Bernard and Joaquina Dutard. She valued Hyppolite Dutard's estate at \$2,500,000. She said that it included real and personal property in Washington and Oregon, as well as in this State. The Squawamish ranch, in Washington, containing over 1200 acres, was worth more than \$500,000, she stated. The personal property of the estate in California she valued at over \$1,000,000. The realty in California consists mainly of large ranches in Santa Barbara county. Mrs. Kleinclaus alleged that her brother's property simply grew out of the estate of her father, Bernard Dutard, who died many years ago, leaving a share and a commission business worth at that time \$25,000; that Hyppolite Dutard, who had nothing of his own, managed the business as trustee for his mother and the other members of the family, and that all of his accumulations as well as the original estate were held in trust by him. Mrs. Kleinclaus, therefore, demanded that all of his estate be turned over to her as administratrix. She and her brother, Leonce Dutard, are the only living heirs of the parents. Hyppolite Dutard bequeathed all of his estate to his wife.

MRS. KLEINCLAUS SUES
FOR OVER \$2,000,000

Sister of Hyppolite Dutard Alleges That
His Property Was Held in Trust.

Three suits against the estate of the late Hyppolite Dutard were begun today by Mrs. Thekla Dutard Kleinclaus, as administratrix of the estates of Bernard and Joaquina Dutard, her father and mother. The suits involve the restitution of the large sum of \$2,500,000, which is said to be the present value of the estate.

Bernard Dutard died in 1865, leaving a widow and six children—Thekla Dutard Kleinclaus, Hyppolite Dutard, Leonce Dutard, Emilia Dutard Sheldon, Eugene Dutard and Joaquina Dutard Lahurelle. Mrs. Dutard died Dec. 18, 1875. Mrs. Lahurelle died in France in 1876. Eugene Dutard died in this city in 1878 and Mrs. Sheldon died in 1880. Hyppolite Dutard died in this city in the latter part of last year, and his widow, W. C. Barnard, Walter D. Sheldon and James Hoge were appointed as the executors of his will.

Mrs. Kleinclaus now brings the suits against these executors, claiming that the property held by Hyppolite Dutard at the time of his death was not his by individual ownership, but was held in trust by him for the benefit of his brother and sister. The complaint alleges that Bernard Dutard, while on his death-bed, asked his son, Hyppolite, to take charge of the produce business and carry it on for the benefit of the widow and children, and that he promised to do the same. It is said that the profits of the business which have resulted since the elder Dutard's death are part of his estate and do not belong to Hyppolite Dutard.

Mrs. Kleinclaus asks for an order of

court declaring that the property claimed by Hyppolite Dutard was held in trust by him for the estate of his father; that all the profits and increase of value since his father's death are part of the estate of which she is administratrix, and that the court order the payment to her, as administratrix, of the sum of \$2,500,000, the present value of the property. A full and complete accounting of Hyppolite Dutard's administration of the trust since the death of his father is also looked for.

The second suit is brought on behalf of the estate of the mother of Mrs. Kleinclaus, of which she is also administratrix. The third suit asks for an accounting on behalf of her mother, whose interest in the estate of Bernard Dutard is said to have been \$1,125,000.

Attorneys Knight & Haggerty represent Mrs. Kleinclaus in her fight. A contest of the will is now pending in Judge Coffey's department of the Superior Court, and the present suits are supplementary to that contest. It is expected that similar proceedings will be instituted by Leonce Dutard, the brother of Mrs. Kleinclaus.

SAYS DUTARD
WAS TRUSTEE

Sister of Dead Merchant Sues
for Portion of His
Property.

SEEKS OVER A
MILLION DOLLARS.

Estates of Father and Mother
of Contestant Were Never
Formally Settled.

Thekla Dutard Kleinclaus, administratrix of the estates of Bernard and Joaquina Dutard, deceased, has brought three suits in the Superior Court against the estate of her late brother, Hyppolite Dutard, to recover over a million dollars. Bernard Dutard died in October 1865. He left a commission business worth at that time about \$25,000. After his death his son, Hyppolite Dutard, continued the business, and was active in its management until his death about a year ago. Mrs. Joaquina Dutard, widow of Bernard, and mother of Hyppolite Dutard, died in 1875.

No administration was ever had upon her estate or the estate of her husband. When Mrs. Dutard died the business established by her husband had advanced in value to \$110,000.

In the years that followed it grew rapidly, and last year when Hyppolite Dutard passed away it extended over half a dozen States and was worth nearly \$2,000,000. Dutard, by his will, left the whole of the property to his widow, Eliza Dutard.

Mrs. Kleinclaus at once attacked her brother's will, alleging that the property which it was attempted to dispose of thereby was the estate of her father and its actual accumulations.

The suits filed yesterday by Mrs. Kleinclaus allege that Dutard accepted his father's business as trustee for himself and the other heirs. In carrying on the business and in adding to its value, it is alleged that he simply acted as a representative of the estate. Should Mrs. Kleinclaus' allegation be sustained the estate will be divided between herself, her brother and Mrs. Dutard.

Knight & Haggerty are Mrs. Kleinclaus' attorneys.

Call June 5-1901

Sue Dutard Estate for Fortunes.

The list of suits filed by Thekla Dutard Kleinclaus to recover a portion of the estate of the late Hyppolite Dutard was augmented yesterday by the filing of another suit, in which Mrs. Kleinclaus demands judgment against the estate for \$200,000. Leonce Dutard, a brother of the deceased, also filed a suit against the executors of decedent's will, in which he asks the court to declare a trust on property included in decedent's estate, valued at \$200,000, which the plaintiff alleges the deceased received in trust from his father, Bernard Dutard, who died in 1865.

Examiner
June 5-1901

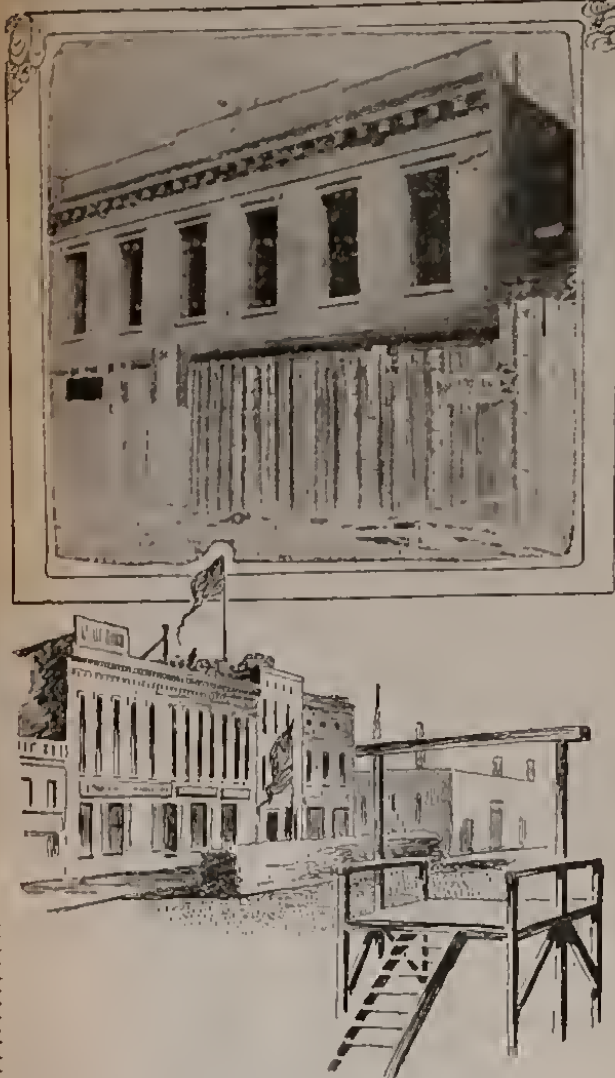
Two New Dutard Suits.

Thekla Dutard Kleinclaus, sister of the late Hyppolite Dutard, has begun a suit against the estate of the latter for \$200,000. Her brother, Leonce Dutard, has begun a similar suit for \$200,000. These suits are merely new moves in litigation of long standing. The Hyppolite Dutard estate was valued at \$2,500,000.

More Hyppolite Dutard Suits.

Three new complaints in the old litigation over the \$2,500,000 estate left by Hyppolite Dutard were filed yesterday.

"FORT GUNNYBAGS" AT LAST IS TAKEN



Historic "Fort Gunnybags," as it appeared yesterday.

Stronghold of the Vigilance Committee Surrenders to General Progress.

In the march of general commercial progress, "Fort Gunnybags" of the pleasure days has been taken.

The home of the second and last Vigilance Committee, the famous organization of 1856, is being torn down to make room for a new, three-story brick building. This historic structure, at 215 to 219 Sacramento street, had been preserved, almost without any alteration, through nearly half a century; but now it is rapidly becoming a thing of the past, a mere narrative of the early days.

All San Franciscans know the history: how on November 11, 1855, Gambler Charles Cora killed United States Marshal William H. Richardson, how on May 14, 1856, Supervisor James F. Casey fatally shot Editor James King of William, how the

citizens of San Francisco organized an array of 1,600 men that defied the Sheriff, the police, the Governor and the General Sherman who afterward marched through Georgia, how Cora and Casey were taken from the jail, how they were tried by the citizens' court in the upper story of the building that is now being razed, how Cora was there married to his notorious companion an hour before his execution, and how he and Casey were together hanged from the front of this same "Fort Gunnybags."

The name "Fort Gunnybags" was given to the Sacramento-street edifice when gunnybags filled with sand were piled up to a height of about five feet for use as breastworks in case of attack by Sherman and his troops.

W. R. Whittier is the present owner of the property.

SAYS THAT SHE IS THE SOLE HEIR

Big Estate of J. Z. Davis
Claimed by Mrs.
Tracy.

FORGERY AND PERJURY
ARE ALLEGED BY HER.

LEGATEES NAMED IN WILL HAVE
ALREADY RECEIVED THE
PROPERTY.

She Wants to Wreat It From Them
by Causing the Proceedings
in Probate to Be Set
Aside.

Mrs. Laura E. Tracy has renewed her efforts to obtain possession of the estate of Jacob Z. Davis. He left property valued at over \$1,400,000. The estate has been distributed to Miss Elizabeth M. Muir and Mrs. Isabella Curtis under a will, which reads as follows:

Oct. 1st, 1896. I, Jacob Z. Davis, will and bequeath everything I have in this world to my beloved niece, Elizabeth Muir and Belle Curtis. JACOB Z. DAVIS.

Mrs. Tracy alleges that this will was forged. She says that she is the only child of John Davis, who was the only brother of Jacob Z. Davis, and that she is the deceased millionaire's sole heir. Her claim has been taken up by Gibson & Womler of Oakland and D. M. Delmas, who filed a complaint as her attorneys in the Superior Court yesterday.

The will was admitted to probate in 1897 after a contest, and when Mrs. Tracy first presented her claim in 1900 Judge Coffey ruled that she appeared too late, as the time in which the probate of the will could be revoked had expired. In the action begun yesterday it is alleged that the proceedings relative to the will were fraudulent and void from the beginning. Mrs. Tracy says that Miss Muir and Mrs. Curtis conspired with the contestants in 1898 to prevent further opposition and paid them \$100,000.

She avers that Miss Muir, Mrs. Curtis, John M. Curtis and Michael Ryan conspired to get the estate, and that they manufactured the will. She asserts that at the trial of the will contest in 1897 three of the jurors—H. W. Hawthorne, Michael Flood and Thomas B. Evans—fraudulently became members of the jury for the purpose of aiding the alleged conspiracy.

Mrs. Tracy asks the Court to decree that Davis died intestate, and that Miss Muir and Mrs. Curtis hold the estate in trust for her.

In her petition in 1900 Mrs. Tracy alleged that Harry Piper, who was a deputy in the County Clerk's office, had the names of Flood, Hawthorne and Evans fraudulently placed on the jury list for the will contest. She said that Evans was a friend and political associate of Piper. The verdict upholding the will was rendered by nine jurors, three—W. W. Hobart, John Tiedemann and Joseph Alfeld—voting against it.

Mrs. Tracy states that her father and Jacob Z. Davis were left orphans in Philadelphia in 1824, when they were respectively 2 and 6 years old. Jacob was christened William Davis, but when he was taken by Mrs. Catherine Z. Dedeker into her family she changed his name to Jacob Ziegler Dedeker. Between 1830 and 1835 he learned his true family name, and thereafter called himself Jacob Ziegler Davis. The brothers separated in Cincinnati in 1840 and never met afterward. Mrs. Tracy supposed that her uncle was dead, and she states that she did not become aware until September, 1899, that the deceased millionaire was her father's long-lost brother.



J. K. C. Hobbs.

PASSES AWAY IN MID-OCEAN

Ex-Supervisor Hobbs Dies
While En Route to
His Home.

TELEGRAMS reached this city yesterday announcing the death of ex-Supervisor J. K. C. Hobbs of the firm of Hobbs, Wall & Co. He passed away in mid-ocean on board the Kaiser William der Grosse, which reached New York yesterday. In a few days Mrs. Hobbs and the two children, Miss Elvira Hobbs and Clarence Hobbs, will start for home with the remains. They will be accompanied by Dr. J. S. Ballard, the family physician, who went East in response to a cablegram, Mrs. Hobbs fearing that her husband would need his care on the trip across the continent.

Mr. Hobbs had been in ill health for the last three years and last September, with a view to getting the benefit of travel and diversion of treatment, he went abroad. The change proved of benefit, which it was hoped would be lasting. After an extended stay in Germany at famous baths Mr. Hobbs went to Italy, and later to Egypt. While in the latter place he suffered a relapse and remained in Cairo with Mrs. Hobbs and the remainder of the family took a trip up the Nile later, when Mr. Hobbs returned to Germany for a second course of treatment, he derived no benefit and Mrs. Hobbs was advised by the physicians to start for home immediately. It had been their intention to return next November.

No business man of San Francisco has been more favorably known than the deceased, and when he accepted a position of public trust, he brought to it the same integrity that had characterized his commercial career. Mr. Hobbs was elected Supervisor in 1891 and served one term. For almost a quarter of a century the Hobbs family resided to the Mission on Liberty street, occupying one of the fine old homes of that district. He always took an active interest in the affairs of the neighborhood and was one of the trustees of the Second Unitarian Church. The deceased was born in Boston August 4, 1846, and came to California in 1853. His father, Dr. S. Hobbs, founded the House of Hobbs, Wall & Co., and at his death Carlton Hobbs took charge of the business. Supplementing the San Francisco interests, Hobbs had large holdings in and about Crescent City, where he owned the Elk River Mills. Notice of the funeral will be made upon the arrival of the remains.

PREFER TO LIVE APART

Examiner 17

BIG PHOTOGRAPH OF "FIRST BORN," ST FROM A FOUR-BY-SIX NEGATIVE, IS A TRIUMPH OF PICTURE-MAKING ART



SHOWING THE PICTURE OF MISS GENTRY AND COLT, FROM THE NEGATIVE OF WHICH, ABOUT THIS SIZE, THE LARGEST PHOTOGRAPH OF ITS SORT KNOWN ON THIS COAST HAS BEEN MADE BY MICROSCOPIC ENLARGEMENT.

THE largest enlarged photograph on the Pacific coast was presented to the Bohemian Club yesterday. It is the work of Theodore Kyka, the expert photographer, and is five by seven feet, beside the frame. Mr. Kyka chose for the subject the famous brood mare, Miss Gentry, and one of her offspring. It is called "The First Born." The enlargement, about fifteen times the original, was made from a negative four by six inches by what is known as the microscope process. Little spots in the original negative appear in the big picture as flies, and the grain of the red-wood siding is plainly discernible. The picture was made with the apparatus used in photographing and enlarging the documents in the Felt case.



Call June 21
1902

WILL OF J. K. C. HOBBS IS FILED FOR PROBATE

Former Supervisor Leaves Estate Estimated to Be Worth Half a Million.

The will of former Supervisor J. K. C. Hobbs, who died June 11, while en route to New York from Buenos Ayres, was filed for probate yesterday. His estate, which is estimated to be worth fully half a million dollars, is divided as follows:

To Charles H. S. McAllister, a niece, \$1000.
Lorenzo U. Kelton, a nephew, and his children, \$500 each; Mrs. Amanda J. Williston, \$2000.
Mrs. J. C. Davis, 423 Ellis street, \$1000. C. N. Perkins, brother of deceased, \$5000, the income from which is to be used for the support of Perkins' mother, eight cousins residing in the East, \$200 each; Stella Gilman, deceased wife's maid, \$1000; M. H. Gilmore, \$200; Golden Gate Commandery, Knights Templar, 100 shares of stock in the Golden Gate Hall Association, \$2000; United Yachtmen Society, \$200; Humane Society, \$200; San Francisco Nursery for Homeless Children, \$500.

One-half of the residue of his fortune the deceased leaves to his widow, Henriette Norris Hobbs, and the other half to his two children, Elvira W. and Clarence W. Hobbs of 132 Leavenworth street.

The will is typewritten and bears date of August 11, 1901. The executors are Mrs. Hobbs, C. R. Dugan, W. H. Jordan and James H. Bruce.

JUNE 19, 1902.

DIES WHILE AT SEA



Former Supervisor J. K. C. Hobbs.

CALLED BY DEATH ON HIS WAY HOME

Former Supervisor J. K. C. Hobbs Passes Away on the Atlantic.

J. K. C. Hobbs of the firm of Hobbs & Wall, box manufacturers of this city, died on the 11th inst on board the Atlantic liner Frederick the Great while on his way home from Europe, where he had been traveling for the benefit of his health during the past two years.

Mr. Hobbs was a leader in politics on the Republican side and an enlightened and successful business man. He served one term on the Board of Supervisors with credit to himself and his constituents. This was the term from 1895 to 1897, when the majority of the board was so notoriously corrupt. Mr. Hobbs was one of the honest minority of three which did a great deal of effective work in blocking the schemes of the majority.

Heart disease, culminating in apoplexy, was the cause of death.

Mr. Hobbs was prominent in the Masonic orders and the Knights Templar. He leaves a considerable fortune and besides his manufacturing business was largely interested in timber lands and the lumbering industry in Del Norte county. He was, one daughter and one son survive him.

CASTELLANE CORSET

Ma 1904

Chronicle
 July 21 - 1901

CONTEST OVER DUTARD'S WILL

A Suit Is to Be Filed
Within a Few
Months.

BROTHER AND SISTER
CLAIM THEIR SHARE.

THE ESTATE OF DUTARD
WAS THE SUBJECT
OF A SUIT.

Allegation Will Also Be Made That
Dutard Meant to Leave His
Estate to His Sister.

A suit is to be filed in the
probate court of the county of
Alameda, California, and before the
probate judge, on the 21st day of
July, 1901, in which the probate
court will be called upon to set aside
the will of the late Joseph Hume,
deceased, and to appoint a guardian
of the estate of the said Hume.

Dutard died on April 15, 1901, after a
long illness, and within a few weeks
a suit was filed in which the entire
estate was left to the widow, Mrs. Ellen
Dutard, to the exclusion of the brother and
sister and niece and nephews of the de-
ceased. The management of the estate
was given to Mrs. Dutard, Walter D.
Sheldon, a nephew, William C. Hart-
ford, a confidential clerk, and the late J. H.
Stone, who died a few days after the
testator. They were not required to fur-
nish bonds.

The contest will be conducted by
Knight & Haggerty, who will appear
for the widow, and the brother, who lives
in San Francisco, and Mrs. Thekla
Sheldon, who lives in the city. Others who
will appear in the contest are Miss Penny
Dutard, a daughter of the late Eugene
Dutard, a daughter of the late Eugene
Dutard, and the three children of Anna
Dutard Sheldon. One of the children
is among the executors. Another, L. C.
Sheldon, now appears as executor to the
Dutard business, and the third is
Miss Thekla Sheldon. It is not ex-
pected that the Sheldon children in the
contest, as they were formerly con-
sidered in indirect ways. The one who
will assist in the management of the
estate has no complaint, and he who
has come into the good will of the busi-
ness has had the way to fortune opened
for him. Mrs. Haggerty had all the
consideration in the Dutard family that
could have come to the most favored
daughter. There was some small propo-
sition for Miss Penny Dutard, but not-
withstanding the fact that the Sheldon
children resolved.

The Dutard commission house was
founded by Edmund Dutard, one of the
city's pioneer merchants, and when he
died it was his wish that his children
should share equally what he had, in
good will and in property. Hypocrite
took charge of the business and there
never was an accounting. Each used
his way and the business went almost
by default to the Hypocrite. The orphan
children of the different branches of the
house were reared by allowance from
the Dutard business and the Sheldon
got the best that was to be had.

In the contest it will be claimed that
if the deceased had been of sound and
disposing mind he would never have
given his estate as a whole to his wife,
but would have honored the wish of his
father.

The immediate cause of Dutard's
death was Bright's disease, but an at-
tempt will be made to show that he
was mentally unbalanced for months be-
fore his death and therefore so dur-
ing the few weeks preceding his death,
during which time the will was drawn.
It was stated that thirteen days be-
fore Dutard breathed his last, the
complaint will specify that Dutard
needed constant attendance for a long
time and that he was at times quite
unconscious of his surroundings.

The widow's side of the story will be
that the business was a bad one and
that she was made of it and that he was
forced to dispose of it as he saw fit and
that he thoroughly understood what he
was doing when he made his will.

Dutard was a man who devoted him-
self almost exclusively to his business
and was most generous in his invest-
ments. When the will was filed his es-
tate was appraised at \$100,000, but it is
generally understood that it is worth
considerably more than \$100,000.

JOSEPH HUME, THE SALMON PACKER, DEAD



BERKELEY, April 20.—Joseph Hume,
the pioneer salmon packer of the Pa-
cific Coast and the millionaire owner
of the big Alaskan corporation of Hume
Brothers & Hume, died unexpectedly at
his home in Berkeley this afternoon. Hume
had been ill only three weeks and though
his condition had been extremely critical
at times he was believed yesterday to be
recovering. His malady was a complica-
tion of troubles, but death resulted from
a vascular disease of the heart. The trouble
became serious about a year ago on the
occasion of Hume's last return from his
Alaskan enterprises, but it did not take him
from active work until less than a month
ago. For the last two weeks he has been
kept alive mainly by the use of oxygen.
For thirty-five years Hume has been
one of the industrial leaders of the coast.
The history of his business life is the his-
tory of the salmon canning industry. He
was the Armour of salmon packing, which
he built up and in which he accumulated
a great fortune. With his brothers, R. D.
and George W. Hume, he opened the
business on the Sacramento river in 1855,
establishing the old Black Diamond Can-
nery on the river. From that time until 1896 the
Hume brothers practically controlled the
Columbia. Their canneries lined the river
and their own steamers brought their
pack from the northern waters. In the

later years competition became stronger
and the Humes gradually disposed of their
brands and factories on the river. The
brothers dropped out and in 1896 Hume
Brothers & Hume was incorporated by Jo-
seph Hume and his three oldest sons,
Joseph W., Herbert and John S. Their
business was transferred to Alaska, where
it is now almost entirely established.
Hume Brothers & Hume represents an
investment of \$500,000. It consists of run-
neries on Chignik bay and Uyak bay, a
fleet of a dozen steamers and sailing ves-
sels and minor connected enterprises.
Hume's ten estate holdings in Portland,
Astoria and other cities of the Northwest
and in Berkeley, aggregate another half
million, according to the estimates of John
Hume. Hume's home on Dwight way, in
Berkeley, the most beautiful residence in
the city, was built in 1893 at a
cost of about \$50,000. Hume had lived in
Oakland and Berkeley since 1896.

Hume was born fifty-six years ago in
Augusta, Me. His father was a younger
son of the Earl of Marchmont in Eng-
land. Young Hume served through the
Civil War in a Maine regiment, receiving
a bullet wound in the leg and contracting
the disease which finally caused his
death. He came to California at the close
of the conflict. He was twice married, his
first wife, Miss Lizzie Hume from whom
he was divorced ten years ago, still lives in
Berkeley. The second wife, who was
Miss Lizzie Amelia of Portland, Me., suc-
ceeded him. He leaves four children by the
first marriage, Joseph W., Herbert and
John S. Hume and Mrs. Grace A. Sheldon,
and by the second marriage three chil-
dren, Chauncey, Florence L. and Helen
Hume. He was a Mason of high degree, a
life member of Oakland Commandery of
Knights Templar and a Masonic Shrine.

No arrangements have been made for
the funeral, which will be conducted by
the Masonic order.

17, AUGUST 13, 1902.

BERKELEY

HUME ESTATE IS READY FOR HEIRS

Widow and Children of the
Capitalist to Share
Property.

Oakland Branch Office of the "Chronicle,"
1154 Broadway, near Third street.
OAKLAND, August 12.—After having
been in course of probate little more
than a year, the estate of the late Joseph
Hume, appraised at about \$275,000, is
now ready to be distributed to the heirs,
consisting of the widow, Mrs. Sarah H.
Hume, and eight children. Mrs.
Hume and her son, Herbert, who have
been acting as executors, filed a peti-
tion today to have their final account
approved and the residue of the estate
distributed. The final account shows
that the sum of \$55,568.08 was received
during the course of administration and
the sum of \$29,055.69 disbursed. The
claims filed against the estate aggre-
gated \$15,799.79.

The residue of the estate now in hand
consists of 800 shares of common stock
of the Pacific Packing and Navigation
Company, of the par value of \$50,000,
298 shares of preferred stock of the same
company, of the par value of \$99,500, 12,
500 shares of stock of the Upretiana
Gold Mining Company, two pieces of
real property in Berkeley, and the sum
of \$29,510.39 in cash. The family resi-
dence in Berkeley, valued at \$40,000, was
recently set apart to the widow. She
has also been drawing from the estate
\$400 a month for the maintenance of her-
self and children.

Hume died on April 20, 1901. He was
one of the principal owners in the firm
of Hume Brothers & Hume, salmon
packers. At the time of his death the
company was heavily involved in its ac-
counts not being sufficient to pay its li-
abilities. Hume was one of the heaviest
creditors of the firm, holding a note for
\$125,000, which, with interest, amounted
to about \$133,500. The various stock-
holders had subscribed \$151,500, and
after Hume's death they demanded that
the stock of the firm, which was the
only asset, be sold and the money di-
vided among them. To effect this, suit
was begun in the United States District
Court. A compromise, however, was
effected, according to which the Pacific
Packing and Navigation Company paid
\$75,000 in cash and 1000 shares of its
own stock for the stock of the firm.
Dividends were then declared by which
the various creditors were paid pro
rata, according to the amount of their
claims.

By the terms of the will the stock of
the salmon-packing firm was be-
queathed to the three sons, Joseph W.,
Herbert and John S. Hume, in trust for
themselves, a younger brother and four
sisters. The latter are Grace A. Shel-
don, Florence L. Chauncey, Helen
T. and Edith A. Hume. All debts due
the estate were to be divided equally
among the widow and eight children.

COFFIN BY DISPUTE

Chronicle
 July 20 - 1902

A wedding of interest was celebrated at
Oakland on June 15th, when Miss Elsie
Culbreth was married to Charles Dutard
Kleinclauss. Miss Culbreth is the daugh-
ter of Mr. and Mrs. R. E. Culbreth and
well known in musical circles and pos-
sesses much talent. Two years
ago she made her debut at the Grand Op-
era house, when she appeared as the
Queen of Portugal in "The Queen's Lace
Handkerchief." Miss Culbreth is accom-
panied and is charmingly personified. Mr.
Kleinclauss is the son of Mrs. Thekla
Kleinclauss, a resident of the Mission, and
a nephew of the late Henry Dutard.

will be commencing at 9 o'clock, tomorrow, at
Cross Cemetery.

GILMORE—In this city, December 27, Charles
Gilmore, husband of Lydia Gilmore,
and father of Charles, Benjamin and Milton
Hobbs Gilmore, a native of New York, N. Y.,
aged 65 years, 8 months and 16 days.

ORRIS—In this city, December 28, Frances
Helen, beloved child of Edward M. and Jessie
E. Orris, and sister of Raymond Orris, a na-
tive of Massachusetts, aged 3 years, 1 month
and 15 days.

CHARLES KLEINCLAUS WEDS MISS CULBRETH



A wedding of interest was celebrated in the city last night when Miss Ellie Culbreth was united in marriage to Charles Kleinclauss. Both of the bride and groom are well known in the city. Miss Culbreth is the daughter of Mr. and Mrs. H. J. Culbreth and well known in the city. She is a high school graduate and has been a member of the city's social life. Charles Kleinclauss is the son of Mr. and Mrs. Kleinclauss and is a graduate of the city's high school. The wedding was officiated by the Rev. J. H. Smith. The ceremony was held at the city's church. The bride was attended by her mother and sister. The groom was attended by his father and brother. The wedding reception was held at the city's hotel. The bride and groom will reside in the city.

HUME PROPERTY IS DISTRIBUTED

Widow and Children Divide Large Estate Under a Compromise.

OAKLAND, August 25.—By a decree of distribution handed down to-day by Judge Ellsworth, the widow and eight children of the late Joseph Hume, who died on April 20, 1901, will receive property and cash valued at \$755,817. The distribution is made according to the terms of a compromise that was recently effected between the heirs of the estate and the creditors of the firm of Hume Brothers & Hume, salmon packers. The latter at the time of Hume's death was heavily involved and could not meet its liabilities. Hume was one of the heaviest creditors, holding notes that aggregated \$125,000. With the interest the notes amounted to \$134,327.14. The stockholders had subscribed \$151,500.

As the claims of the various creditors were conflicting, the matter was taken into the United States District Court for settlement. Pending the action, however, an opportunity was presented to sell the stock of the insolvent firm at a fair price, and a compromise was effected among the creditors. Under this compromise the stock was sold to the Pacific Packing and Navigation Company for \$15,000 in cash and 2250 shares of stock of the latter company. Dividends were then declared to the various creditors.

The property now distributed consists of \$15,000 in cash, 155 shares of preferred stock of the Pacific Packing and Navigation Company, 914 shares of common stock of the same company, 1200 shares of stock of the Esplanade Hotel Mining Company, and real property in Berkeley valued at \$12. The family home in Berkeley, valued at \$10,000, was previously set apart to the widow as a homestead. According to the will, the widow, Mrs. Sarah H. Hume, who was the second wife of the deceased and is now 54 years of age, is to receive all of the stock of the Esplanade Hotel Mining Company, together with a one-ninth interest in the residue of the estate after the other specific legacies are paid, and a one-ninth interest in the claims of the estate against the firm of Hume Brothers & Hume. The interest of the estate in the stock of the Esplanade Hotel Mining Company is divided among the three elder sons, J. W. Herbert and John S. Hume, who trust for themselves and their younger brother and four sisters. The residue of the estate is divided equally among the widow and each of the three elder sons. The three elder brothers, the children are as follows: Mrs. Grace E. Stinson, Florence L. Stinson, Helen T. and Ethel A. Hume. The latter is 3 years of age.

GAVE PRETTY LUNCHEON.—Mrs. J. J. Mellus of Los Angeles was the delightful hostess several days ago of a pretty luncheon given in honor of Mrs. Dulard of San Francisco. About ten or twelve of Los Angeles' smart set were asked to meet Mrs. Mellus' charming San Francisco guest.

MRS. WAGNER'S TEA.—Socially went in a body to the home of Mrs. Henry Lewis Wagner today to greet the three daughters—Mrs. F. L. White, Mrs. F. L. White, and Mrs. F. L. White.

HIS TRAIL OF WORTHLESS PAPER.

Many Charges of For- gery Against Young J. K. White.

Cut a Wide Swath Along the Cocktail Route in This City.

J. K. White, traveling salesman, actor of a prominent Eastern family, and well known man about town since his coming to San Francisco, has at last landed on the reef that leads to the penitentiary. He was arrested yesterday on the complaint of William Olinak, a tailor doing business at 152 Eddy street, and was charged with the forgery of a check for \$30. But the detectives detailed by Captain of Detectives Martin to investigate the case have made the discovery that White left a trail of worthless paper in his wake on his mad dash down the cocktail route, that he was not a penniless whose name he forged; that in all cases it was accepted gladly, but that now the men who hold it are sorely grieved and will swear to complaints against him.

Some of the men who suffered at the hands of White are Joseph Rosenberg on Market street, who cashed a check purporting to bear the signature of Felix Friedenthal of 110 Butler street for \$25, Hildstein, Cohen & Co., who paid \$25 for a worthless bit of paper bearing the signature of "J. D. McStalin," and Charles Newman of the Hibernian saloon, who drew a piece of \$25.50 in White's bogus check lottery.

Nearly all of these crimes were committed in 1901, when White made his first appearance on the Coast. He was the traveling representative of DeChes & Schueldersfeld of 181 Market street, Chicago. He was a stylish dresser, bore first-class credentials, spent his money like a prince and his coming was hailed with joy by habitués and painted women of the tenderloin section, who are even on the lookout for "good fellows." But his going out was as mysterious as his coming. One day in early June, 1901, he turned up missing in his usual haunts and careful inquiry failed to disclose his whereabouts. Further inquiry led to the discovery that he had been operating on ill-gotten gold and then a mighty wall went up from those who had advanced cash on his bogus checks. They demanded his arrest, but the police could find no trace of him.

Where White has been or what he has been doing since he left San Francisco is not known, but he turned up again bright and smiling some days ago and soon demonstrated that his head not lost his cunning. He was not so dapper as he was at one time, but that was easily remedied. It was easy to induce the tailor to cash his paper and he was once more prepared to do business in his old style.

Unfortunately for him, however, White was discovered by Policeman Paul before he had had an opportunity to float more of his worthless paper, and was promptly brought to book. Then the old charges against him were dug up by the police and he will face at least a dozen felony accusations when he appears in court.

White's father is the manager of the Franklin Adams Company at Chicago, and his people are said to be among the most prominent at that city.

CHRONICLE, THURSDAY.

DUTARD ESTATE BEFORE COFFEY

Widow of Wealthy Merchant Wan's Property Distributed to Her.

OTHER HEIRS OFFER
STRENUOUS PROTEST.

Brother and Sister of Hypopolite Dutard Object to Sale of Huge Ranch in County of Santa Barbara.

The \$4,000,000 estate of the late Hypopolite Dutard was again in the Superior Court yesterday and the subject of further controversy among the heirs of the deceased millionaire.

Mrs. Eliza Dutard, widow of Hypopolite and sole devisee of the estate under the will, applied in Judge Coffey for permission to sell the Carmalia ranch of 10,000 acres in Santa Barbara county and she also applied for an order of distribution of the estate. Both of these applications are being contested vigorously by Mrs. T. Kleinclaus and Leonce Dutard, respectively sister and brother of the deceased. The contest is based upon five suits now in the courts against the estate, in which the brothers and sisters of Hypopolite Dutard are attempting to show that the property he devised to his widow was not his to bequeath, but that he held it for them in trust from their father, Bernard Dutard. They, therefore, want those cases decided before there is an order of distribution made and they declare that to sell the Carmalia ranch now would defraud them as creditors out of that share of the estate in case the suits were decided in their favor.

The proceedings yesterday before Judge Coffey brought out facts to the effect that the estate is burdened with an indebtedness of about \$100,000 and the widow asks that the property be distributed to her in order that she may sell portions of it and settle its debts. She proposes to sell the Carmalia ranch to Frank A. Garbutt, representative of an Eastern syndicate, for \$300,000 cash and with the money pay off a loan of \$262,000 from the Bank of California. The ranch was appraised at \$70,000 a year ago and Mrs. Dutard thinks the sum offered her a fair price for it. But the disputing litigants disagree with her. Mrs. Kleinclaus and Leonce Dutard declare that the property is worth over \$1,000,000 because tremendous quantities of oil have been discovered on it. In fact, it is said that the ocean beach bordering the ranch for nine miles is nothing but the finest quality of oil sand. Further testimony in the contest will be evoked tomorrow afternoon, when the continuance of yesterday's proceedings will be before Judge Coffey.

Hypopolite Dutard was the oldest son of Bernard Dutard, who acquired a fortune in the produce business in this city. At his death no distribution of his estate was made, but Hypopolite, who was familiar with the business, remained in charge of it and his brothers and sisters claim that he held it in trust for them. Hence his own share would be but one-fifth of the property. He continued to conduct the business and increased it enormously until his death. In 1900, when he left the entire estate to his widow, Mrs. Eliza Dutard. The brothers and sisters at once instituted a series of suits to have the estate declared to have been held in trust for them and not the sole property of Hypopolite.

The widow is fighting them and yesterday's proceedings is regarded as merely a new move in the legal battle between the widow and the alleged heirs.

POLICE SAVE HIS MONEY

DUTARD'S WIDOW GAINS HER SUIT

Judge Coffey Declares Heirs at Law Have No Claim on the Estate as Creditors.

Mrs. Eliza Dutard, widow of Hypopolite Dutard, was granted her petition for a partial distribution of his estate by Judge Coffey yesterday. Mr. Dutard, as executor and devisee under the will of the estate of her husband, wished to secure the order of the court so that she could sell the Carmalia ranch in Santa Barbara county to Frank A. Garbutt for \$300,000. The brother and sister of the late millionaire, L. Dutard and Mrs. T. Kleinclaus, contested her petition on the ground that as creditors of the estate they did not want any of it sold until after its final distribution, which cannot take place until their suits pending, as heirs at law, against the widow are settled. The court held, however, that as the contestants were heirs at law, and their claims entitled to inheritance they could not be justly regarded as creditors to them from the property, and hence Judge Coffey decided in favor of Mrs. Dutard. Mrs. Kleinclaus and Leonce Dutard also alleged that the three were ranch was worth over \$1,000,000 because of recent oil discoveries on the land, and, in consequence, if the widow was permitted to sell it for a smaller sum it would result in a loss to the heirs at law as creditors. This collateral allegation was also lost in the decision.

Hypopolite Dutard died in 1900 and left property valued at about \$1,000,000. In his will he devised practically the whole of it to his widow, Mrs. Eliza Dutard. But his four brothers and sisters have in suits against this disposition of the property on the ground that the estate was not Hypopolite's at all, but he held it from their father, Bernard Dutard, in trust for them. The elder Dutard was a produce dealer, who died many years ago, and at his death, it is alleged, the heirs contended that Hypopolite, being familiar with the business, should take it in charge for them. He did so, and increased the estate greatly in value. The heirs allege that at his death the trust ended and he could then devote to his widow only his share, or one-fifth of the estate.

CHANGE OF BASE IN DUTARD CASE

Contest of Will of the Commission Merchant Is Dismissed.

Leonce Dutard and Mrs. T. Kleinclaus, respectively brother and sister of the late Hypopolite Dutard, who for the last ten years have been engaged in a legal battle for the Dutard fortune with Eliza Dutard, widow of the deceased, dropped a bombshell in the widow's camp yesterday by withdrawing their petition for the revocation of the order admitting their brother's will to probate.

The withdrawal came as a complete surprise, as the battle they have been waging is a bitter one. The withdrawal, however, is not a surrender, but simply a shrewd move on the part of Attorney Charles J. Heggarty, their legal adviser. Heggarty will in the future carry on the fight outside the Probate Court, and will seek to recover for his clients by means of suits in equity, two of which are now pending before Judge Sewell.

The Dutard fortune was founded by Bernard Dutard, who was for years a prominent produce and commission merchant in this city. He died several years ago, leaving an estate worth \$200,000. He left no will, and his estate, which consisted principally of his produce business, went to his widow and four children. Mrs. Dutard died intestate a short time after her husband, and the children, among whom was Hypopolite, got her share. Hypopolite, it is said by the others, took over himself, under an agreement, the management of his father's business, his brothers and sisters receiving therefrom their share of the income. This continued until 1898, when Hypopolite got married. It is said that the arrangement continued in effect until 1900, when he died. Then came strife, for he left a will, leaving his wealth entirely to his widow, who thereupon assumed control of the business, claiming that her husband was the sole owner. The estate at this time was worth \$1,000,000.

The brothers and sisters disputed the claim of the widow and commenced the contest of the will which was abandoned yesterday, claiming in their contest that the deceased had built up his fortune from the business left by his father, and in which they each held an equal interest.

Five suits in equity were also filed with the contest, the plaintiff in each, being an heir-at-law of the elder Dutard, asking for a one-fifth interest in the estate. These suits will now be presented to him judgments.

WILL CONTEST IS DROPPED

Claims of Dutard Heirs Will Be Fought Out in the Court of Equity.

APPELLANTS' ATTORNEY
REQUESTS DISMISSAL.

Five Suits in Other Than the Probate Court Relied Upon to Win for Contestants Their Title in the Estate.

The petition for the revocation of the proceedings admitting to probate the will of the late Hypopolite Dutard, was withdrawn in Judge Coffey's Court yesterday on motion of Attorney Charles Heggarty as counsel for the contestant heirs at law, Mrs. T. Kleinclaus and Leonce Dutard. The motion came as a surprise to the court and to the defendant widow of Dutard, as there are at present five suits against the property which are being urged on behalf of the heirs, but Heggarty explained that the settlement of the disputes would be conducted through these several suits rather than by a further contest of the will.

Only last week Mrs. Kleinclaus and Leonce Dutard protested against the court's granting a decree of partial distribution to Mrs. Eliza Dutard, the widow, in order that she might sell the Carmalia ranch in Santa Barbara county for \$300,000 and pay estate debts of the estate with the money. They argued that as contesting heirs at law they were creditors with claims against the estate and that their rights as such would be affected by any distribution which the widow might be permitted to make. Judge Coffey held, however, that heirs at law could not be classed as creditors of an estate and prevent its distribution upon claims of indebtedness against it, hence he gave the widow her order of partial distribution.

The litigation grows out of the manner in which the property of Bernard Dutard, father of Hypopolite and Leonce Dutard, was disposed of at the time of his death. Hypopolite, as the partner of his father, was permitted to carry on the business of produce dealer and hold the property in trust for his brothers and sisters. At his death in 1900 he had increased the estate from \$200,000 to \$1,000,000 approximately, and he left a will bequeathing all his property to his widow. She holds that he was owner in fee of the entire estate, but his brothers and sisters claim that his share was but one-fifth of the whole and that the rest he held as trustee for them. It is to determine the question of ownership in the remaining four-fifths that all the five suits are brought.

COURT ENDS CONTEST OVER DUTARD ESTATE

In sustaining the demurrers of Mrs. Eliza Dutard to five suits brought by Mrs. Florence Kleinclaus and Leonce Dutard to be declared as having interests in the estate of the late Hypopolite Dutard, Judge Sewell has peacefully put an end to the litigation which has been in the courts for nearly five years over an estate valued at nearly \$1,000,000. Mrs. Eliza Dutard is the widow of Hypopolite, and the plaintiffs are brother and sister respectively of the dead man. Their claim is a share in the property, which he added to his wife's share upon the allegations that the deceased had inherited the property of their father, Bernard Dutard, to hold for himself, his mother and the other children in trust. The commission business of his father Hypopolite carried on in his own name for thirty years. At his death he willed it to his widow, while the plaintiffs claim that only one-fifth of it was his own to dispose of.

The demurrers set forth that the brother and sister had allowed Hypopolite to claim the property and let it stand in his name for thirty years after the death of their father, Bernard, without protest, and that no action against him after his death was therefore barred by the statute of limitations. Judge Sewell held that the plaintiff was not barred, and sustained the demurrers without leave by the plaintiffs to amend. The only remedy by which the case can now be tried in the Superior Court is for the plaintiffs to secure an order for a new trial to be put in the Superior Court.

It is easy enough to make money on produce, but speculation has almost invariably proved fatal to the speculator. The bean deal is the latest instance. I suppose that Lyden emulated Dutard the Bean King of old, the cute Franco-American, who made no mistake, and who for the past dozen years or so of his life ruled the bean market with a rod of iron. But six million pounds of lima beans are worth money, and, if properly handled, the banks will come out better than their managers at one time deemed that they would. But Lyden and Wolfe and their associates have learned a lesson, and others will not fool round the bean market in a hurry. King Dutard I. has left no successors.

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MRS. DUTARD KEEPS HUSBAND'S WEALTH

Endeavors of Relatives to
Get Part of His Millions
Do Not Prove Successful.

Mrs. Thelma Dutard Kleinsch, Leonore Dutard and Joseph T. O'Connor, as administrators of the estate of Mrs. Josephine Dutard Labadie, have failed in their efforts to obtain a share of the estate of the late Hyppolite Dutard, Judge Seawell having signed decrees yesterday against them. Hyppolite Dutard's estate was valued at \$2,000,000, and Mrs. Kleinsch asked for \$200,000 out of it, Leonore Dutard for \$200,000, and Administrator O'Connor for \$200,000. Mrs. Ellen Dutard, wife of the deceased merchant, retains possession of the millions.

Mrs. Kleinsch and Mrs. Labadie were sisters of Hyppolite Dutard and Leonore was his brother. It was alleged that his fortune was simply the estate of his parents, with the profit made in business added to what the parents had, and that he held it in trust for all the members of the family. The parents, Bernard and Josephine Dutard, were married in 1845. The father was in business from 1852 to 1865 in this city, and it was alleged that the value of his business when he died, in 1865, was \$1,000,000. His son, Hyppolite, who had been clerk in the store, took the management of the business. In 1875 Hyppolite's mother died and he obtained letters of administration on her estate, but returned no accounting. When Hyppolite Dutard died, in 1890, his sister, Mrs. Kleinsch, secured letters of administration on the estate of both parents, and took steps to get a part of the millionaire's estate.

The legal battle has been carefully waged. Demonstrations to the complainants of Mrs. Kleinsch and Leonore Dutard were sustained three times by Judge Seawell, who then denied their attorneys, Knight and Hegarty, the privilege of trying to further amend their plea in order to overcome legal objections. Attorney T. C. Connor appeared for O'Connor, who came on the scene late and filed a cross-complaint, which also was knocked out on demurrer. Blehman, Wheeler and Heeler represented the millionaire's widow in the controversy. It was alleged that Hyppolite's father charged him on his deathbed to continue to conduct the business for the joint benefit of Hyppolite's mother, brothers and sisters, and that he accepted the trust. It was also averred that Hyppolite often told his mother and the other members of the family that he was carrying on the business for their common benefit. Originally there were six brothers and sisters, but only Mrs. Kleinsch and Leonore Dutard remain.

WIDOW DEFEATS RELATIVES.

Judge Seawell Sustains Her Demurrer
as to Dutard Suits.

By his action yesterday in sustaining the demurrers of Mrs. Ellen Dutard to the suits brought by Mrs. Thelma Kleinsch and Leonore Dutard to be declared as having interests in the estate of the late Hyppolite Dutard, Judge Seawell practically put an end to the litigation which has been in the courts for nearly ten years over an estate valued at nearly \$2,000,000. Mrs. Ellen Dutard is the widow of Hyppolite and the plaintiff's mother and sister respectively of the dead man. Their claims to a share in the property which he willed to his wife, were based upon the allegations that the decedent had inherited the property of their father, Bernard Dutard, to hold for himself, his mother and the other children in trust. The commission business of his father Hyppolite carried on in his own name for thirty years. At his death he willed it to his wife, while the relatives claim that only one-ninth of it was his own to dispose of. The demurrers set forth that the brother and sister had allowed Hyppolite to claim the property and let it stand in the name of their father Bernard, without protest and that any action against him after his death was therefore barred by the statute of limitations. Judge Seawell held that the point was well taken, and sustained the demurrers without leave to the plaintiffs to amend. The only remedy by which the case can now be tried is by the suit now on for the plaintiff to secure an order for a new trial on appeal to the Supreme Court.

ON JULY 15, 1903.

NEVADA BANK NEED NOT PAY LOSS BY FORGERY

Supreme Court Reverses Decision of Judge Wallace in Case Growing Out of Famous Becker Check-Raising

English and American Law Cited to Show That Innocent Parties Must Abide Where Mistake Has Placed Them.

The remarkable forgery by which Arthur H. Dran, Charles Becker and James Corgan swindled the Crocker-Woolworth Bank out of \$20,000 in December, 1895, is recalled in a decision rendered by the Supreme Court yesterday.

The check which Dran presented to the Nevada Bank, where he kept a small account, was drawn upon the Crocker-Woolworth National Bank by the Bank of Woodland, in Yuba county. The Nevada Bank passed the check through the San Francisco clearing house and deposited the money to Dean's credit. A few days after he had presented the check he drew out \$20,000 and fled. It was not until fifteen days after the money had gone that the fraud was discovered, and the disclosure was a remarkable one. By a process known only to Becker and Corgan they had changed the date of the check and raised the amount from \$12 to \$25,000. They had filled in some perforations in the check so skillfully that it required a magnifying glass to detect their work.

The Crocker-Woolworth Bank sued the Nevada Bank to recover the \$20,000 which had been paid out on Dean's check and obtained a favorable decision in the lower court. It is this decision which the Supreme Court has now reversed, remanding the case for a new trial.

The court points out that no benefit was reaped by the Nevada Bank in the transaction and that it acted in perfect good faith and was only the agent for collection for its depositor, Dean.

After reciting the facts the court states that the gravamen of the action is "mistake," and says that it is well to bear in mind that such actions address themselves to the equitable consideration of the court. "The governing principle is this," says the opinion, "that where equally innocent persons have dealt with one another under a mistake the burden of loss resulting from the common error ordinarily will be left where the parties themselves have placed it, and so a recovery can only be had where in equity and good conscience the defrauded should be called upon to refund."

The court proceeds to show that at no time was it plain that the Nevada Bank was the owner of the check, but that even the plaintiff in its complaint alleged that the Nevada Bank was the holder only, and points out that the indorsement of the Nevada Bank in making the check payable to the clearing house did not have any greater legal significance than that it showed that the bank had a valid title to the check which it presented, and so had a right to receive payment.

The opinion is written by Justice Hendon and concurred in by Justices McFarland, Lorigan, Von Dyke and Beatty. There is a short dissenting opinion by Justice Shaw.

JUST 16, 1903.

DILLARD IS FOUND GUILTY ON FOUR COUNTS

Jury, After Long Deliberation,
Concludes He Issued Fraudulent Chinese Certificates
While Government Employee

W. H. Dillard, the colored employee of the Internal Revenue Collector's office who has been on trial in the United States District Court for the past two weeks on the charges of having uttered false and fraudulent Chinese certificates and of forging the name of John C. Lynch, Internal Revenue Collector, was found guilty by a jury last night on four of the twenty-one counts in the indictment against him, but not guilty of the other counts.

The jury brought in a verdict after five hours' deliberation, and found the defendant guilty on the tenth, seventeenth, nineteenth and twenty-first counts, which charge him with wilfully and knowingly uttering false and fraudulent Chinese certificates of residence while an employee to the Internal Revenue office, but not guilty of the other counts, which embraced similar charges, as well as five counts of having forged the name of Internal Revenue Collector John C. Lynch.

The United States Attorney concluded his closing argument for the defense at 4:30 o'clock in the afternoon, when Judge De Haven delivered his charge to the jury. When, three hours later, the jury requested that some of the exhibits of handwriting in the case be sent to them, it began to look as if they had some difficulty in reaching an agreement, but shortly before 10 o'clock Judge De Haven was sent for and the jury filed into the court room, where the foreman, James H. Harold, delivered the verdict.

Dillard was present with his wife, who has been by his side daily, and his attorney. He received the verdict very calmly, and smilingly remarked, as he left the court room with the United States Marshal: "Well, they didn't find me guilty of forgery, anyway."

The charges upon which Dillard was convicted were making out fraudulent certificates of residence to Chinese from originals in the Internal Revenue Collector's office, where he was employed as messenger and clerk. It was alleged by the Government that he was aided in this work by Toy Man Sing, who is now in China. It was also alleged that there was a regular underground system of bringing in Chinese and giving them false certificates, but nothing developed in the trial that incriminated any one besides Dillard.

The defense maintained that Dillard was the innocent victim of a ring of Federal officeholders in this city, who were seeking to place upon Dillard the issuance of the false certificates in order to vindicate themselves. It was proved, however, that all the certificates passed through Dillard's hands and were in his handwriting. The last day of the trial was taken up with the conclusion of Samuel M. Shortridge's argument, counsel for the defense, and the closing argument of United States Attorney Woodworth, who summed up the testimony in a very concise and able manner.

Amongst other things, he contended that there could be no possible object in the three Chinese brought from Denning, who, it was claimed, had purchased certificates obtained through Dillard, in giving false testimony, when by that testimony they were banishing themselves from the United States.

Judge De Haven made a lengthy but very impartial charge to the jury, and in touching upon the testimony of the writing experts charged the jury to weigh their testimony as they would that of any other witness.

An appeal will be taken by the defense.

ARRAY OF EVIDENCE AGAINST MRS. BOWERS

BECKER GIVEN HIS FREEDOM

"King of Forgers" Released at
San Quentin Early Yesterday
After a Long Term.

After serving a reduced seven-year term in the State penitentiary at San Quentin, liberally named early yesterday morning to Carl Becker, "The Dutchman," the "King of Forgers," the greatest bank terror of modern times, the criminal who confessed to having successfully secured nearly a million dollars in Europe and America on drafts and checks, the man who deftly altered a \$12 Bank of Woodland check to read \$22,000, and secured payment at the Nevada National Bank in San Francisco in December of 1926, and was then caught and convicted.

Becker has long been very reticent and has sought to avoid newspaper publicity. For that reason he chose 6 o'clock in the morning as the hour for his release, hoping in that way to avoid the curious crowd. But the liberation of so notorious a criminal could not be kept secret. Becker was approached for an interview. He simply said: "I am past 60 now, and intend to remain a free man for the rest of my life. I am fully capable of supporting my wife and myself in legitimate fashion. I shall go to New York. I hope to avoid such prominence as I have had heretofore. It is useless to question me further. I have nothing to say."

It has been repeatedly rumored that Becker was seeking a pension of \$500 a month from the American Bankers' Association, in consideration of which he would refrain from forgeries and frequently and regularly report his whereabouts to the concern.

Handwriting Expert Theodore Kyika, whose greatly enlarged photographic reproductions of Becker's raised check and of various known exemplars of Becker's handwriting practically convicted Becker, declared last night that Carl Becker is a much overrated criminal; that he can never operate successfully again; that he did not originate the scheme of raising signed checks; that bankers are now alert for raised checks; and that hereafter he can be easily convicted wherever he tries his crooked work in America.

"Becker knows the law well," said Kyika. "He operated in such a way as to baffie conviction were it not for the revelations of photographic enlarging, applied to his work. A middle man, known to Becker would deal with a third man unknown to Becker, and that third man would go into the country and buy a small draft on a city bank. This draft would then be given to the middle man, and by the middle man to Becker. Becker would proceed to raise the draft to read many thousands. After that it would be returned to the middle man and then to the original purchaser, who would deposit it in a big city bank and then call the next day and draw out all of the money before the draft could get back to the country bank for inspection. As no one ever witnessed Becker actually raising a check, as he never personally bought a draft or presented it for payment, and as he could not be convicted merely on the testimony of an accomplice he felt safe. But the camera showed up his whole method and convinced Judge and Jury."



Testimony of Seven Doctors, Two Analytical Chemists and Others to Connect Her With Husband's Murder.

THAT Mrs. Martha Bowers of 370 Commercial street murdered her husband by substituting large quantities of arsenic in the medicines ordered by the physicians, that she forged the name of Dr. Alfred McLaughlin in an arsenic prescription, that her sister, Sylvia L. Sutton, went to a drug store and obtained the poison, and that Mrs. Bowers administered the fatal doses to kill her husband so she might more freely continue her intimacy with one Patrick Leroy is the general theory upon which the State began the prosecution of Mrs. Bowers and her sister yesterday in a preliminary hearing before Police Judge Chamberlain.

A detective, seven physicians, two analytical chemists and a trained nurse were on the stand as witnesses for the prosecution, and their evidence covered the period of the last three months of Martin Bowers' life, his constitutional condition, his illness June 11th, from supposed pneumonia poisoning, his removal July 6th to the Walden Sanatorium, where he improved during a month's treatment, his transfer August 6th back to his home, where he steadily declined under his wife's nursing; his sudden removal August 26th to the German Hospital, where he died four hours after his arrival, the analysis next day of his stomach by the city experts and the discovery of fatal quantities of arsenic, and the subsequent finding in the home of other damaging evidences of attempted poisoning.

Mrs. Bowers and her sister, Sylvia Sutton, both dressed in funeral black, heavily veiled, and wearing white veils, sat coolly in the front row of a courtroom crowded to the walls with a peering multitude that fanned itself and was oppressed by the closeness of the stuffy room and the sultriness of the weather.

District Attorney Byington, who promptly prompted at intervals by Prosecuting Attorney Hanley, conducted the inquiry, while four lawyers for the defense—Drury, Melaney, Lohr and Vaughn—sat in a row, listened silently, and repeatedly, on behalf of the two suspected women, interposed objections to the introduction of certain forms of testimony.

The two most important and damaging witnesses were Dr. McLaughlin, who attended Bowers in the Walden Sanatorium and later wrote several prescriptions for Mrs. Bowers to administer to the patient at the home, and Dr. Charles W. Morgan, physician, professor of modern medicine in the University of California, and City Chemist, the man who analyzed Bowers' stomach the day after death and found in it fatal quantities of arsenic. Dr. McLaughlin testified that Bowers was taken to the Walden on July 6th by a man telephoned who had formerly been one of McLaughlin's patients. At that time Bowers was complaining, weak and suffering from gastric catarrh, which may have been the result of pneumonia poisoning from eating some food, as obtained by his wife,

presented by her sister when she secured the arsenic that killed Bowers.

On top of all this expert evidence of fatal quantities of arsenic in the dead man's stomach was presented the testimony of Dr. Brattstein of the German Hospital and the man nurse who watched at Bowers' bedside during the four hours prior to his death. Dr. Brattstein had gone in an ambulance to take Bowers to the hospital and on route back had given the patient several drinks of water, which he craved. The patient had vomited three times, another evidence of poisoning. Then, in the hospital, the nurse had every half-hour for four hours given Bowers a glass of water, and the patient had vomited twice. And despite all this diluting with water and emptying of the stomach there still remained after death the fatal quantity of more than four grains of arsenic. An analysis of the blood then also showed evidences of arsenic at the Bowers' home.

The trial will be resumed at 2 o'clock this afternoon.

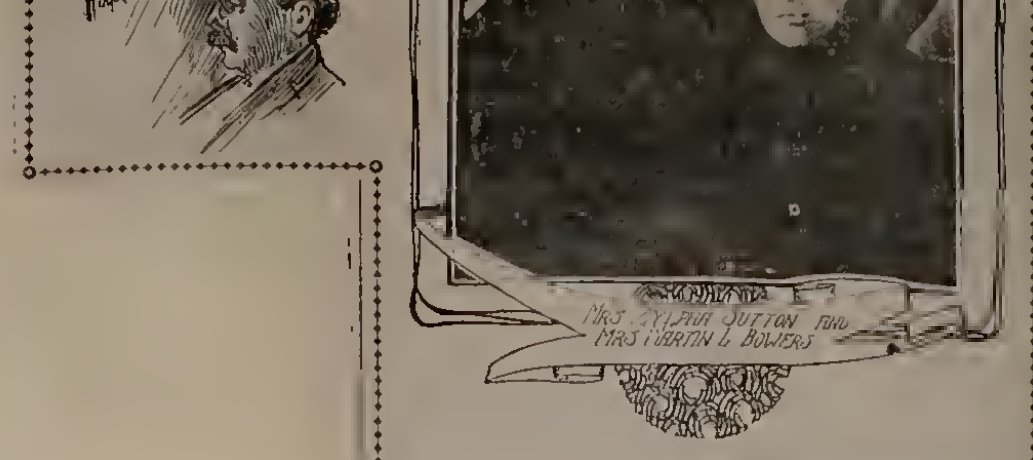
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District Attorney Byington, whisperingly prompted at intervals by Prosecuting Attorney Hanley, conducted the inquiry, while four lawyers for the defense—Drury, McIsaac, Lewis and Vaughan—sat in a row, listened silently, and repeatedly, on behalf of the two suspected women, interposed objections to the introduction of certain forms of testimony.

The first most important and damaging witnesses were Dr. McLaughlin, who attended Bowers in the Waldeck Sanitarium and later wrote several prescriptions for Mrs. Bowers to administer to the patient at the Bowers home, and Dr. Charles W. Morgan, physician, professor of materia medica in the University of California, and City Chemist, the men who analyzed Bowers' stomach the day after death and found in it fatal quantities of arsenic. Dr. McLaughlin testified that Bowers was taken to the Waldeck on July 6th for a man friend who had formerly been one of McLaughlin's patients. At that time Bowers was emaciated, weak and suffering from gastric emicilia, which may have been the result of phagmatic poisoning from eating some ham, as charged by his wife, or from arsenic put in his food. Under hospital treatment the patient steadily improved, but later developed the usual cramp and ankle drop which manifests itself after poison in the stomach has been removed from the system. After three weeks' hospital treatment Mrs. Bowers asked Dr. McLaughlin if she might take her husband home. The doctor advised another week in the sanitarium. At the expiration of that week Mrs. Bowers removed her husband to their Clementina street residence. She had been directed how to nurse him, and Dr. McLaughlin provided certain prescriptions, with instructions for administering the medicines. When he called to see the patient August 14th he was surprised to find Bowers in a general state of collapse, his pulse up to 120, his temperature high, and his symptoms all as bad as when he was taken to the Waldeck, five weeks before. All the evidences of poisoning were back again: the vomiting, the pain in the stomach, the heart trouble and other symptoms that had been cured in the hospital.

Dr. McLaughlin identified from the drug stores six or more prescriptions in his handwriting and explained their purpose. But when shown a prescription that reading "Arsenic" McLaughlin, M. D., he said he did not write that, had never seen it before and did not authorize any one to write it for him. That was the prescription alleged to have been written by Mrs. Bowers and presented by her sister when she secured the arsenic that killed Bowers.

On top of all this expert evidence of fatal quantities of arsenic in the dead man's stomach was presented the testimony of Dr. Brulstede of the German Hospital and the man nurse who watched at Bowers' bedside during the four hours prior to his death. Dr. Brulstede had gone in an ambulance to take Bowers to the hospital, and on route back had given the patient several drinks of water, which he craved. The patient had vomited three times, another evidence of poisoning. Then, in the hospital, the nurse had every half-hour for four hours given Bowers a glass of water, and the patient had vomited twice. And despite all this diluting with water and emptying of the stomach there still remained after death the fatal quantity of more than four grains of arsenic. An analysis of the bed linen also showed evidences of arsenic at the Bowers' home.

The trial will be resumed at 2 o'clock this afternoon.

Chinese Victims Tell How They Purchased Certificates for One Hundred Dollars Apiece

MISS EMMA SLOAN MISS EMMA EVERHARDT MISS LILIA D. MONNET



WITNESSES IN THE DILLARD CASE. Three typewriters in the office of the Collector of Internal Revenue who were on the stand yesterday.

Testimony Showing Dillard Was Seen Talking to the Chinese That Sold Them.

Three Chinamen have positively testified in the Dillard case that they purchased forged certificates. Twice during the course of his testimony, Sam Fat Sam stated that "a black man" in this city was the one for whom the money, which he paid for his certificate, was intended. He was unable to say that the man was William H. Dillard, the defendant.

During his testimony, Sam Fat Sam said that Toy Mon Sing was the one who gave him instructions as to how he could obtain a residence certificate. Toy Mon Sing, who was at that time a power in Chinatown, was at the head of the ring which was operating the mysterious underground railway. He appeared on the local representative of the ring, and it was he who obtained the certificates after the name of John C. Lynch had been forged upon them.

Special Agent Thomas testified yesterday that he saw Toy Mon Sing in almost daily communication with Dillard during the time the defendant was employed in the collector's office. "I saw him with Dillard in the hallway," said Thomas. "I saw them again together in the office engaged in close conversation. On three separate occasions I saw him in Toy Mon Sing's store on Dupont street."

This is the nearest approach yet made to connect Dillard directly with the disposal of the forged certificates. Unfortunately, after the discovery of the fraud in the collector's office, Toy Mon Sing departed for the Flowery Kingdom, where he is now luxuriating on the wealth which he acquired in this country. He cannot be summoned to furnish the missing link in the chain of evidence.

District Attorney Woodward has endeavored to show that Dillard was the only one in the office who issued the Chinese certificates, and that he had full charge of the file room wherein these papers were deposited. He attempted to show that this file room was a sort of sanctum sanctorum, into which only Dillard, the chief clerk, and a few other chosen spirits were allowed to enter.

WILL HIM A BACK PAILION. Samuel Shortridge, who is detesting Dillard, has succeeded in proving, through admissions from the prosecution's own witnesses, that this room is far less exclusive than Woodward would have it appear. In fact, it seems that this file room, wherein the precious certificates were treasured, was a sort of back par-

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He answered that he had never kept one there, but said that Dillard might have had one, and he could not say positively that the defendant had not invited him in there to quench his thirst.

This testimony regarding the number of people who were permitted to frequent the file room was considered of considerable importance by the defense, as it tended to show that others besides Dillard had access to the certificates.

Ye To You, had a story similar to that of Sam Fat Sam to tell. He said he crossed into this country from Mexico, passing over the border line at night. He said he received his certificate from Toy Mon Sing. He said he paid \$100 to a white man for the paper. "Who was this money intended for?" asked Woodward. "I gave it to the white man," said the Chinaman, for the black man. Judge De Haven would not allow the witness to proceed further, as such testimony was incompetent.

"Who was this white man in whom you paid the money?" inquired Woodward. "I don't know his name," said Ye To You, "although he told it to me. If I saw him again I will know him. It was he who induced me to come over from Mexico to Deming in New Mexico."

Woo Young also said that he paid \$100 for a certificate permitting him to remain in this country. Both Ye To You and Woo Young were able to identify the certificate which had been sold to them and both swore that they had never formally made application for the certificates as required by law. Woo Young said his certificate was handed to him by Young Ting in Chinatown in this city.

George A. Wright testified that he discovered the book of bound certificates which it is alleged that Dillard concealed, hidden behind two bars of envelope in the file room to prevent discovery of the forgeries. Wright said that it required several days to find it. Other deputies and clerks in the office said the book could not be seen in its hiding place unless the searcher got down on his knees.

Charles M'han, Chinese Inspector, told how he discovered two of the forged certificates in the possession of two Chinamen in El Paso, Texas. He testified that at the time of the discovery of the two certificates he was not certain whether or not they were forgeries or genuine. He therefore caused a letter to be dispatched to Lynch asking him for a photographic copy of his signature. This letter eventually led to the discovery of the fraud and the flight of Dillard.

The young women who were employed in the collector's office, and who were on the stand yesterday, were Miss Emma Sloan, Miss Emma Everhardt, and Miss Lilia D. Monnet.

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Bulletin

CLAIM WILL TO BE A RANK FORGERY

A sensational will contest is now in progress in the courts of Abilene, Texas, in which several California citizens are interested. The will is declared by some of the California claimants to portions of the estate to be a forgery. Photographic copies of it have been received here and shown to Theodore Krika, who unhesitatingly said it was not written by the deceased when he had compared it with the genuine handwriting of the dead person.

Mrs. Louise Merrill, an aged lady, died a few months ago at Abilene leaving an estate valued at about \$40,000. Shortly after her death a will was produced which left the major part of the estate to a niece, Mrs. M. C. Hardwicke, and the remainder to J. L. Hinkow, who the relatives say was employed by the woman as a business agent, and with whom she had a serious disagreement shortly before her death. This will is now believed to be a forgery and Theodore Krika has been retained by the relatives here to give expert testimony in the courts at Abilene in an effort to substantiate their claim. The California heirs of the late Mrs. Merrill are Mrs. T. V. Williams, 422 Turk street, Mrs. Marshall J. N. Scoggins of Colusa, John and Boyd Deier of Chico, J. E. Scoggins of Visalia, A. J. Scoggins of Dinuba, a brother of the deceased, and who is now in Abilene looking after the interests of the relatives here, and Mrs. J. D. McNara and Mrs. J. Redoth of Colusa, sisters of Mrs. Hardwicke, who are taking no part in the contest.



WITNESSES IN THE DILLARD CASE.

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FILE ROOM A BACK PARLOR.

Samuel Shortridge, who is defending Dillard, has succeeded in proving, through admissions from the prosecutor's own witnesses, that this room is far less exclusive than Woodworth would have it appear. In fact, it seems that this file room, wherein the precious certificates were treasured, was a sort of back parlor, in which the collector entertained his friends. During the campaign season, Mr. Lynch admitted on the stand, that the room was sometimes used as a council chamber, in which matters of national import were discussed. Political pamphlets were sometimes addressed in this room, he said.

The reputation of this room, which is supposed to be reserved as a repository of important documents, was still further tarnished yesterday when George A. Wright, the chief deputy clerk, admitted that he sometimes carved watermelons in the room and invited the young women who are employed in the office to come in and partake of the delicacies. He denied, however, that the room was used as a political headquarters. Mr. Shortridge asked him if a certain black bottle was not kept behind the door in this room.

He answered that he had never kept one there, but said that Dillard might have had one, and he could not say positively that the defendant had not lovelied him in there to quench his thirst.

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Five young women who were employed in the collector's office when Dillard was busy perpetrating the alleged fraud were examined in the courtroom. They told how Dillard had entire charge of the work of issuing the certificates to Chinamen. Miss Emma D. Monnet and Miss Emma Stone, who were both typewriters, were questioned at length. Both made excellent witnesses. They were asked particularly during the cross-examination if they had ever assisted in preparing affidavits for applicants who wanted certificates. They replied that they had not. The first of the young ladies called was Miss Carrie A. Jessup. She was asked if she had ever issued any of the Chinese certificates or if she had ever seen anyone else besides the defendant do so. She replied that she had not. The same question was put to the rest and the same answer given. After Miss Jessup, Miss Emma Everhardt and Miss Mary Butke were questioned.

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Lips

estate valued at about \$40,000. Shortly after her death a will was produced which left the major part of the estate to a niece, Mrs. M. C. Hardwick, and the remainder to J. L. Haskins, who the relatives say was employed by the woman as a business agent, and with whom she had a serious disagreement shortly before her death. This will is now believed to be a forgery and Theodore Ryka has been retained in the relatives here to give expert testimony in the courts at Abilene in an effort to substantiate their claim. The California heirs of the late Mrs. Merrill are Mrs. T. V. Williams, 423 Turk street, City Marshal J. N. Scoggins of Colma, John and Ross Deier of Chico, J. H. Scoggins of Visalia, A. J. Scoggins of Dinwiddie, a brother of the deceased, and who is now in Abilene looking after the interests of the relatives here, and Mrs. J. D. McNara and Mrs. J. Redford of Colma, sisters of Mrs. Hardwick, who are taking no part in the contest.

NEW FAIR WILL MYSTERY; 'SON' MENTIONED.

Document Purports to Leave
\$800,000 to the Child of
an Unnamed Mother—Also
Large Sum to an Asylum

ALLEGED WITNESSES TO
WILL ARE BOTH DEAD

Instrument Sent to a Judge
by Mail—Lawyers and Hand-
writing Experts Incline to
Belief That It Is a Hoax

San Francisco, Aug. 31.—A document purporting to be the last will of the late Charles L. Fair, who was killed in an automobile accident in France, has made its appearance. It was received by Superior Court Judge Murasky through the mails late on Sunday afternoon. It came with a special delivery stamp on it and it was sealed in a heavy brown envelope. Inside of this was a smaller envelope of white paper, and on it was written by typewriter, the words, "The last will of Charles L. Fair."

Judge Murasky at once sent for Messrs. Knight and Heggarty and for Reuben H. Lloyd, who are representing the Fair heirs, and in their presence the inner envelope was opened.

The document it contained, purporting to be a will of the late Charles L. Fair, bequeathed to Charles L. Fair, Jr., \$800,000; to the Roman Catholic Orphan Asylum, \$500,000; to Joseph Harvey, \$500,000; for the construction of a new City and County Hospital in the city, \$40,000, and the remainder was left to his wife.

This will was written by typewriter on thin, transparent paper such as is used in manifolded matter on the typewriter. Attached to it was a signature purporting to be that of the late Charles L. Fair.

As witnesses to the signature were attached the names of the late I. W. Lees and W. H. L. Barnes.

Theodore Kyika, the well-known handwriting expert, says the signatures to the will are forgeries. He says the signatures of both the witnesses are clever imitations of the genuine, but by the aid of a glass it could be seen that they had been traced. The paper was so thin that it was no easy matter to make a tracing from the genuine. In making one of the signatures the letters had been first traced with a pencil and then inked over. The marks of the pencil tracing clearly showed.

I. W. Lees and W. H. L. Barnes, who are alleged by the document to have witnessed the will, are both dead.

An alleged heir of the late Mr. Fair was killed at some months ago by Attorney William Cannon, who stood sponsor for it, as entitled to a share of the estate of the dead millionaire. That child, however, was never produced in the flesh, and the attorney never disclosed the identity of the mother.

Mr. Cannon now says of this new alleged will: "I believe it is a fake, and will not ask that it be admitted for probate. As far as the child of Charles L. Fair is concerned, I have nothing further to say at this time."

Attorneys and others interested in the estate in a measure regard it as a hoax sent by some dull-witted joker.

Mrs. Fair's Relatives Ridicule New Will.

Mrs. Hannah Eliza Nelson, mother of Mrs. Charles L. Fair, is now lying ill with acute gastritis at the home of her daughter, Mrs. Joshua Leonard, at Endwell, N. J.

"I never heard that Mr. Fair had a son, and I am sure that he did not. It was reported that Mr. and Mrs. Fair had a daughter, but this, too, was false. If he had a son he would have heard of it long ago. This is the very first news of such a child, and I am sure that the new will is simply an effort to get money on a false document. It will make no difference with the heirs of my sister's heirs. If I could not talk about these suits, for the lawyers have forbidden us to discuss them in any way."

At the office of Jay & Chandler, attorneys for Mrs. Hermann Goldstein and Mrs. W. K. Vanderhill, Jr., it was said that no rumor whatever would be made upon the alleged will and the latest alleged heir to the millions left by Mr. and Mrs. Charles L. Fair.

NEW FAIR WILL CALLED FORGERY

Strange Document Is Sent
Through the Mail to San
Francisco Judge.

FORTUNE LEFT TO "SON"

Bequest Also Made to Found a
Hospital in California
City.

BOTH WITNESSES ARE DEAD

All Parties Concerned Declare the Instru-
ment Is a Clumsy Piece
of Work.

[SPECIAL DESPATCH TO THE HERALD.]
SAN FRANCISCO, Cal., Monday.—What purports to be the last will and testament of the late Charles L. Fair was sent through the United States mail on Saturday in a mysterious manner to the chambers of Superior Judge F. J. Murasky, and is now in the custody of the County Clerk. The document purports to be signed by the late I. W. Lees and W. H. L. Barnes as witnesses.

In this alleged will Mr. Fair mentions his son, "Charles J.," and he bequeaths to him \$800,000. The sum of \$500,000 is bequeathed to "the Roman Catholic Orphan Asylum," \$500,000 to "Joseph Harvey" and \$100,000 to "the city of San Francisco, for the purpose of founding a hospital." The residue of the estate is left to his wife who is also named as executrix. The alleged will is dated in San Francisco, April 16, 1903.

An heir, Charles L. Fair, was brought forward in this city about eleven months ago, although he never appeared in person, and the matter was dropped without investigation. Whether one will come forward and petition the court to probate the alleged will of Charles L. Fair is a matter of conjecture.

The document was pronounced a clumsy, scilicet document by all those who saw it to-day, and its appearance has not disturbed the Fair heirs or their attorneys. That it is a forgery is declared by Theodore Kyika, a writing expert.

The alleged will, enclosed between two glasses and bound around the edges, so that it cannot be tampered with or injured in handling, and a photograph of the original done in the same size, are now in the County Clerk's safe. "There is one thing above all others," John Seymour, agent for the Fair estate, said to-day, "which proves that the alleged will is a fraud, and that is the fact that the signature of former Chief of Police Lees is attached to it as that of a witness. Now, is there a living man who believes that anything on earth would have stopped Lees from announcing the fact that such a document had been signed by him if he had witnessed it? I know Lees well, and I tell you he would turn over in his grave if he were aware that such a document had been sprung at this time."

Joseph Harvey, who was left \$500,000 by the document, places no faith in its genuineness. "It is a fraud on its face," Mr. Harvey declared, "and I do not believe any one will appear to probate it. Mr. Harvey does not place any credence in the story that Mr. Fair left a son. He said he had frequently spoken in jest to Mr. Fair about the number of claimants who would spring up if he were to die suddenly."

"There will be none of mine," Mr. Fair responded. "None will appear to claim the name Fair."

Attorney for the Late Estate Says Will Is "Fake or Forgery."

Charles J. Heggarty, of San Francisco, one of the attorneys for the Fair estate, who is in this city attending to some of the litigation incidental to the probate of the will of Mr. and Mrs. Charles L. Fair, both of which he drew, said yesterday:—

"The document received by Judge Murasky is either a fake or a forgery, or both, if you like. General Barnes, one of the alleged witnesses, died about eight months ago. I. W. Lees was Chief of Detectives in San Francisco for forty years. He died in April, but for the eight years in which the Fair estate was in litigation he was connected with the proceedings, and it is improbable that he would have been a witness in this alleged will and not have said something about it before his death. No one here connected with the Fair estate knows anything about this alleged will."

Charles Fair never had a child. After his death the attorneys of the estate were notified by a lawyer that he represented a child of the late Charles L. Fair, who was killed in France. Charles S. Smith, manager of the estate, asked him about his age and mother, but he would not disclose any details, and that's the last we heard of the case."

James K. Chandler, of Chandler & Beach, attorneys for the Nelson family, also said they knew nothing about the alleged will. He doubted that it was a genuine instrument.

Brother of Mrs. Fair Declares the Will Is Forgery.

[SPECIAL DESPATCH TO THE HERALD.]
PLAINFIELD, N. J., Monday.—A brother of Mrs. Charles L. Fair, who resides here, declared that the alleged Fair will reported found in San Francisco is a scilicet document.

HANDWRITING EXPERT HERE.

Is En Route to Athens to Unravel a Case There.

T. Kyika of San Francisco came in late last night on his way to Athens. Mr. Kyika is probably the most famous and successful handwriting expert in the world, and while here he exhibited some of the handwriting which he had been called at different times to identify.

One was a photograph of a check on a San Francisco bank, which was raised from \$12,000 to \$22,000 dollars and cashed.

Through the skill displayed by Mr. Kyika the perpetrator of the swindle was detected and sent to the penitentiary for a long term of years.

Another and more recent case in the clearing up of which Mr. Kyika was instrumental was the famous Bowers case, which has been attracting so much attention in San Francisco.

Mrs. Bowers forced a prescription for arsenic with which she poisoned her husband. Mr. Kyika was called in and the purchase of the arsenic was traced to her by him by her handwriting.

He goes from here to Athens, where he is called on a case there.

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The Big Suit.

The Merrill will case still occupies the time of district court.

It is impossible to give details of the trial as the testimony is long-drawn-out.

The handwriting expert went on the stand Friday morning and spent two days in direct examination. The attorneys for the will began late Saturday afternoon on the cross examination and are still so engaged. After they are through there may be a redirec examination and then a recess.

At the present time—Monday noon—no intelligent guess can be made as to when the end of the testimony will be reached or how much time will be allowed or consumed by argument.

SUIT OVER NOME MINE.

A Large Sum Is Demanded From
Wentley Janet Lindberg.

A jury was secured yesterday in Judge Graham's department for the trial of the will of Thomas J. Duffy against Janet Lindberg for \$200,000, and then, as neither Duffy nor his principal witness appeared in court, an adjournment until this morning was taken at the request of Duffy's attorney. Duffy alleges that he is the owner of a claim on Anvil Creek, at Nome, Alaska, and that Lindberg has been working it without authority and has taken out \$200,000 worth of gold.

Lindberg's attorney, Campbell, made a statement to the jury, saying that he would show that Duffy was employed by a mining company which was formed by Lindberg and two other men; that this company had the claim years before Duffy appeared on the scene; that Duffy jumped it on the ground that Lindberg and his partners were not American citizens, and therefore had no right in it, and that they compromised with Duffy, paid him \$200,000, and took a deed from him.

Attorney Bullitt said: "Duffy takes the position that the deeds are forgeries." "Let him come here and swear it, and we will send him to San Quentin," responded Campbell.

Forgers' Clever Tricks

Expert Kytko Gives Independent Interesting Review of Devices of Those Issuing Bad Paper.

Did you ever forge a cheque, raise a draft or execute a fraudulent bill with designs upon the estate of some deceased relative? No? Well, then you ought to be interested in the devices of those who undertake to obtain wealth by resorting to these tricks of art. For forgery, really, is an art which has been developed to such a high standard of perfection that frequently the shrewdest intellects in the world have been completely baffled.

There is in Santa Barbara today a gentleman who stands at the head of the long list of experts on hand-writing—one who has been connected with many of the most celebrated forgery cases in the history of both the old and new worlds. His name is Theodore Kytko and he is quite well known here, having been engaged in cases before the local courts in past years. If Mr. Kytko were to reduce his experiences to print, several large volumes would be required to tell the stories of his interesting and remarkable disclosures. Today he favored an Independent representative with a brief history of a few of the most celebrated cases with which he has been connected during his labors in the United States. At present he is engaged by the city of San Francisco to assist in the solution of the Nora Fuller murder case, upon which a small army of detectives has been constantly working since the body of the unfortunate girl was found in a deserted lodging house several weeks ago. While Mr. Kytko declines to enter into the details of the work of ferreting out the criminal, as it stands at the present time, he makes free to say that it is through his expert knowledge of hand-writing that he hopes to detect the in-

the forgers are the autographic wills. The public is too well informed upon the truth of this point to require further proof, for not a year passes in the history of the California courts when several of the alleged forged wills were not made the object of protracted litigation. The Fair will case, one of the most celebrated in the history of the country, is one well in point. Mr. Kytko was employed as an expert in this case and it was largely through his expert testimony that the forgery of the name of James H. Fair to an alleged marriage contract introduced by Nettie R. Criven, was established, thus saving many millions of dollars to the rightful heirs of the wealthy mining operator. Mr. Kytko was engaged upon this case for ten weeks, receiving as compensation, the sum of \$10,000. This is believed to be the largest fee ever paid to a writing expert in the United States. The Fair forgery was demonstrated by means of an immense photographic camera, an illustration of which accompanies this article. It was manufactured to order especially for use in the Fair case at a cost of over \$5,000. With the aid of this instrument, Mr. Kytko photographed signatures of Mr. Fair which were known to be genuine and the signature to the alleged marriage contract, proven to be a forgery. The signature was enlarged so that it occupied a space of six and one-half feet in length, thereby bringing out every detail in the characters. As a result, it was easily seen that the signature to the contract was much lighter than the genuine, and irregularities not discernable to the naked eye were clearly brought out.

It was through the disclosures made

world. It is a fact not generally known that the Bankers' Association of California maintains a regular list of "pen-sioners" who receive stipulated amounts each month in return for the promise to "be good" and refrain from passing forged or raised cheques upon their institutions. Their work is so cleverly done that it is seldom that it is detected until after the money has been paid upon the drafts and the forger is many miles away.

Probably one of the most interesting cases where fraud was detected through the disclosures of the writing expert was that which occupied the attention of the superior court of Chico some time ago. Upon the death of Alfred Fuller, a wealthy old miner, a note for \$15,000 was presented by Dr. A. J. Landis of that city bearing the purported signature of Mr. Fuller. Simultaneously a will was produced by Dr. Ellis Rodney, then mayor of Chico, in which the miner's estate was bequeathed to him. Several bank cashiers and writing experts testified in court that the signatures to the note and will were genuine. Mr. Kytko, through a photographic process, demonstrated conclusively that both signatures were forgeries, and Landis and Rodney are serving sentences in the state prison for seven and twelve years, respectively.

In a similar manner, Dan Sullivan, one of the most noted forgers ever in San Francisco, was run down and he is now "doing time" at one of the state institutions. Sullivan forged the names of four judges to orders upon the city treasurer for the release of bail money put up by offenders, and in this manner succeeded in obtaining about \$2800 before he was caught. At the trial of



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dividual who committed the mortal crime, as specimens of the writing of the man who is supposed to have murdered the girl are in his possession. Some day he will discover writing with which these specimens will correspond and, when he does, he is confident that the guilty man will have been traced to his doom.

Mr. Kytko declares that the number of forgeries committed are daily increasing and that only a very small percentage of the cases ever become known to the public. In many instances where forgeries are discovered the matter is settled in some way without going into court in order to protect the guilty ones from the disgrace that a public exposure would bring. The percentage of exposures is only one in twenty cases, and in sixteen out of twenty cases the crimes are committed by women. Women, he says, evidently do not realize the enormity of

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The most recent case in which Mr.

El Paso News
Sept 13 - 1903

FAMOUS DETECTIVE

San Francisco Sleuth Arrives On His Way to Abilene, Where He Will Work on Case of Some Magnitude.

Detective Theodore Kytko, one of the most celebrated detectives in San Francisco, arrived in the city tonight en route to Abilene on a case. He is said to be one of the best experts in the detection of fraudulent hand writing in the world, having gained a great reputation lately in the solution of the mystery of the murder of Mr. Bowers by his wife.

The clue which led to the detection of the wife and her conviction as his murderer was that she had forged a prescription to a San Francisco drug clerk to secure arsenic with which to poison her husband.

Detective Kytko will leave this morning for Abilene.

Chronicle
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As soon as the sentence was passed Attorney Shortridge arose and asked for a stay of execution. This was denied. The attorney then gave notice of an appeal, and of his intention of carrying the case to the Circuit Court of Appeals on a writ of error. He was allowed twenty days in which to file his bill of exceptions, and the United States Attorney was allowed five days to answer. In his decision the Judge said in part:

"The defendant has been convicted of uttering a forged certificate of residence and of having knowingly uttered fraudulent duplicate Chinese certificates of residence, in violation of Section 8 of the Chinese Exclusion Act of May, 3, 1892, and has moved for a new trial. The most serious question presented arises upon certain language used by the Court in its charge to the jury."

In speaking of his definition of a fraudulent certificate as he gave it to the jury, the Judge said: "It must be conceded that the definition here given of a fraudulent certificate is not an accurate one. A certificate such as is described in the instructions quoted would undoubtedly be a false certificate, and if knowingly issued as evidence of the right of another person than the one named in the original certificate to remain in the United States would be a fraudulent certificate within the meaning of the law, and I think within the meaning of the charge set out in the indictment, although the indictment is not as direct and clear on this point as it might have been made. There was no specific exception to this part of the Court's charge, and the defendant may not be able to urge any objection to it upon appeal. I have for this reason given very careful consideration to the question, because it appeared to me that the jury was misled by this instruction, and so found the defendant guilty although they did not believe that the false certificates were uttered by him with guilty knowledge. I would consider it my duty to grant the motion for a new trial as to these counts. There is no rule of law better settled than this, that the instruction of the Court to the jury must be considered as a whole, and if when thus considered the law appears to have been correctly stated, the defendant is not entitled to a new trial because of inaccurate language used in some part of the charge."

Further on in his decision the Judge complained that the jury was incompetent in finding the accused guilty on the fourth count of the indictment, and failing to find him so on the four preceding ones, the evidence in all was precisely the same. Continuing, he said: "The jury having found the defendant guilty upon this count of the indictment, it is manifest that the only question for decision at this time is whether the verdict is so far as it finds the defendant guilty is supported by the evidence, and upon much consideration I am satisfied that the evidence was such as to justify the verdict. The motion for a new trial will be denied."

gentleman who stands at the head of the long list of experts on hand-writing—one who has been connected with many of the most celebrated forgery cases in the history of both the old and new worlds. His name is Theodore Kytka and he is quite well known here, having been engaged in cases before the local courts in past years. If Mr. Kytka were to reduce his experiences in print, several large volumes would be required to tell the stories of his interesting and remarkable disclosures. Today he favored an independent representative with a brief history of a few of the most celebrated cases with which he has been connected during his labors in the United States. At present he is engaged by the city of San Francisco to assist in the solution of the Fara Fuller murder case, upon which a small army of detectives has been constantly working since the body of the unfortunate girl was found in a deserted lodging house several weeks ago. While Mr. Kytka declines to enter into the details of the work of ferreting out the criminal, as it stands at the present time, he makes free to say that it is through his expert knowledge of hand-writing that he hopes to detect the in-

dividual who committed the awful crime, as specimens of the writing of the man who is supposed to have murdered the girl are in his possession. Some day he will discover writing with which these specimens will correspond and, when he does, he is confident that the guilty man will have been traced to his doom.

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Promissory notes, as a rule, are more frequently forged than any other document. The notes are presented after the death of the persons whose signatures they are purported to contain, thus reducing the probability of the claim being disputed. There are scores of fraudulent notes on file in the courts of California, says Mr. Kytka, which were paid under this misapprehension that they were genuine. The next class of documents which most frequently attract

the Fair to an alleged marriage contract introduced by Nettie R. Craven, was established, thus saving many millions of dollars to the rightful heirs of the wealthy mining operator. Mr. Kytka was engaged upon this case for ten weeks, receiving as compensation, the sum of \$10,000. This is believed to be the largest fee ever paid to a writing expert in the United States. The Fair forgery was demonstrated by means of an immense photographic camera, an illustration of which accompanies this article. It was manufactured to order especially for use in the Fair case at a cost of over \$5,000. With the aid of this instrument, Mr. Kytka photographed signatures of Mr. Fair which were known to be genuine and the signature to the alleged marriage contract, proven to be a forgery. The signature was enlarged so that it occupied a space of six and one-half feet in length, thereby bringing out every detail in the characters. As a result, it was easily seen that the signature to the contract was much lighter than the genuine, and irregularities not discernable to the naked eye were clearly brought out.

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Becker has not many more months to serve, and as soon as he is released the banking world will be "on pins and needles" again. It is learned upon the best of authority that as soon as Becker is released he will be "pensioned" by the United States government. That is to say, the government will pay him a "salary" of \$250 a month for the remaining years of his life, with the proviso that he cease further operations in the production of spurious paper. This is considered to be a much more economical method than to keep a corps of detectives constantly on his trail on the lookout for new ventures in the financial

the case one of the judges declared positively that one of the forgeries was his own signature. Mr. Kytka requested him to write his name six times on as many slips of paper while he wrote the name of the judge on six extra slips and mixed them up. The judge was then requested to pick out his own and when he had made the selections carefully it was pointed out to him that of those selected by him only two were genuine. Kytka thereby proved that forgery can be so expertly accomplished as to defy detection even by the principal.

"Sir" Harry Cooper, who recently secured a bride on a telegram to which the signature of the girl's mother was forged, was convicted upon evidence which connected the writing on the telegraphic blank to correspondence of his own.

The most recent case in which Mr. Kytka cut an important figure came up in Washington a few months ago. After the death of Judge Holt, one of the brightest jurists in Washington, a will was received through the mail by the executors of his estate under the terms of which \$250,000 was bequeathed to a Miss Throckmorton. The will bore date of 1873 and contained the names of U. S. Grant, then president of the United States, and General William T. Sherman and wife as witnesses. The validity of the will was disputed and protracted litigation followed. Over forty witnesses, among them being experts and persons who were familiar with the signatures of the parties associated with the document, testified on the stand that the signatures were unquestionably genuine. Mr. Kytka afterwards proved that the will had been written years later than 1873 and that the signatures had been traced from documents on file in the war department, which bore the signatures of President Grant and General Sherman. Miss Throckmorton lost her case and the matter was allowed to drop.

"She was a most entrancing young woman," said Mr. Kytka.

END OF WHITE CASE NEAR.

Testimony Given as to Character of Brothers of Deceased.

The testimony in the case of Mrs. Jennie White for a widow's share of Jonathan Lloyd White's estate was finished yesterday in Judge Tenth's Court and the argument was set for next Thursday.

T. Ryha testified as a handwriting expert that the signature "Jennie Toney" on a receipt for \$200, and the signature "Jennie White" on a receipt for \$125, were written by Mrs. White. She denied that she wrote the first of these signatures. She testified yesterday at the close of the case that the signature on the \$125 receipt looked like her writing. In this receipt White was referred to as her deceased husband, but she denied that the document was read to her before she signed it. She said that she put her name on it without reading the paper, because the room was quite dark and she could not see well.

Charles G. Gebhardt, one of the executors of White's will, testified that the receipts and other papers were found in White's ante-mortem box after his death.

Mrs. White contradicted the statements made by White's brothers, Joseph and George, in depositions taken in New York. They told of the receipt of divorce papers by her and of her knowledge that White had obtained a divorce from her. Mrs. Charlotte McLaughlin of 194 Buchanan street, and Mrs. Emma G. Hunt of 113 E. 10th street, testified that the reputation of the White brothers for truth and integrity was bad.

WAS PREPARED FOR ANY CONTEST

Garret McEnerney Meets Attack on Antoldi Will With Certified Photographic Copies of the Original.

HELD HIS EVIDENCE UNTIL OPPOSITION ACTED

The Copies Absolutely Disprove Claims Made by Attorney Who Is Leading Assault on Original Testament.

Garret McEnerney's caution and good judgment have probably saved for Margaret Morbio, the 10-year-old daughter of A. P. Morbio, the estate of the late Stanislas Antoldi.

Antoldi died something like a year ago, leaving property worth \$20,000, and naming Miss Morbio his sole legatee. His will was an unusual document in that it bore two date lines. It was drawn on a bill head, and the first date was composed partly of figures printed into the paper. The second date line was in the handwriting of the deceased.

When the will was presented to McEnerney to be filed for probate he, realizing that as the deceased was no relative to the little girl to whom he left his property, there would probably be a contest from some quarter, had the will twice photographed and had the photographs identified by E. J. Casey, clerk of the Probate Department of the Superior Court. In due time the contest McEnerney anticipated was filed. It was made in the name of Carolina Antoldi Casagrandi, who claimed to be a cousin of the deceased, and it was asserted by Attorney Spilvato, in her behalf, that the second date was interpolated into the will.

Among her witnesses was D. T. Ames, the handwriting expert. He was expected to testify that the date line in dispute was forged, but when he got on the witness stand he was not as positive as Spilvato desired him to be, although his testimony was in favor of the contestant. Another witness on whom Spilvato depended, but who hesitated on the stand, was Louis Benussi. He knew Antoldi's handwriting, but he could not say whether or not the line in controversy was penned by him. He was asked if when he saw the will, after it was filed, the date line was in it, and he replied that he did not think it was, but he said finally that he could not testify one way or the other on this point.

Spilvato's son and his clerk, John C. Corbett, testified that they made copies of the will, having the original document before them in the County Clerk's office, and, as the disputed line was not in their copies, they were sure that it was not in the will when they saw it. Spilvato himself testified positively that the line was not in the will when he saw it, two or three days after it was filed, and he gave reasons why, in his opinion, Antoldi would not have dated the document in the manner employed.

When Spilvato had concluded his case McEnerney calmly produced his photographic copies of the will. They bore the deputy clerk's mark of identification and more than that were entered in the records of the clerk. McEnerney stated that Antoldi died at Morbio's house, and soon after his death Morbio brought to McEnerney a sealed envelope in which was found the will. McEnerney kept possession of it, sent it and the envelope at once to a photographer, in accordance with his habit of preserving incontrovertible evidence concerning important documents, and then filed it. Besides having the photographic copy officially indexed and a certificate attached to it, he caused Morbio, Mrs. Morbio and Edgar R. Butler, brother of Mrs. Morbio, to put their initials on the copy so that they might be able to swear to it if the original will should be lost.

This morning McEnerney produced Deputy Clerk Casey and had him testify that he marked the copies of the will when the original document was filed. More than that he testified that the will was taken out by no one after it was filed except Spilvato, who examined it nine times. The photographer who copied the will was also called to identify his work. The case was not concluded when court adjourned.

NOTED FORGER WILL LEAVE PRISON

Chas. Becker, the Criminal Most Feared by Bankers, to Be Given His Freedom From San Quentin on Monday.

STOLE \$20,000 ON A BOGUS DRAFT

Known to the Police the World Over and Has Reputation of Being the Cleverest of Criminals at His Line of Work.

Charles Becker, known to Americans the world over as the king of forgers and to criminals as "The Dutchman," will walk out of San Quentin Prison on Monday morning a free man after serving a seven-year sentence for the forgery of a \$20,000 draft on the Crocker-Woolworth National Bank. His term was reduced to four and a half years by his good conduct.

Becker has been a model prisoner, most of the time that he has been at the prison he has been employed as clerk to the commissary, and he was most painstaking in any task that was given him. He had supervision of the inmate hunks of the department and they are models of the penman's art. At times he was called on to make designs for programs for entertainments that were held by the prisoners, and the skill of their execution shows that his hand has lost none of its cunning.

The prisoner has grown somewhat stout since he was sent to San Quentin. His hair is now white, and to look at him one would never suspect that he is the one man in the criminal world that the bankers most fear. He has a well-shaped head, a full, intellectual forehead, German features and hands that any woman might envy for the long, supple fingers and artistic nails.

There was a report a few months ago that the American Bankers' Association would pension Becker liberally when he came out of San Quentin, but James H. Branch, secretary of the association, denied this, as he said the association depended upon its detectives to protect its members and not upon subsidizing criminals. Despite this denial, several detectives declare that Becker can command a handsome salary if he will agree not to forge any more bank paper. When a man is an expert that he can turn out bank bills as good as the originals, or can raise a check so that only the bank expert with powerful glasses can detect the fraud, he is worth bribing to restrain his skill.

The crime for which Becker has just paid by four and a half years in San Quentin was the raising of a check loan \$12 to \$2,000. Frank S. Seaton, alias "Al" Dean, was the crank who planned the job.

He came to California from New York in December, 1895, and with him were Becker, James Morgan of New York and Joe McCusker.

Dean had about \$250. He opened an office in San Francisco, deposited most of the money in the Nevada Bank, drew small checks, made new deposits, and in a skillful way became known to the bank officers.

He went to Woodland, near the State capital, and bought a \$12 draft from the Bank of Woodland, drawn on the Crocker-Woolworth Bank of San Francisco. This draft he brought to San Francisco, and it was turned over by Morgan to Becker, who in five days altered the date and raised the amount from \$12 to \$2,000.

On November 11 Dean deposited this draft at the Nevada Bank to his credit, and on the following day drew a check against it for \$2,000 and received the entire amount in cash. There was no suspicion excited by such a transaction, as Dean was supposed to be a mining man, and many such men paid their bills in cash and drew much larger sums to meet the monthly payroll.

The forgery was only discovered at the end of the month, when the Crocker-Woolworth Bank sent its monthly account to the Woodland Bank. By that time the draft had been divided among the four men and they had scattered.

Dean and McCusker were soon caught in Minneapolis, and Becker and Morgan were arrested in San Francisco. The latter were released, as no charge could be made against them. They were preparing to go to Guatemala when Dean, who had made a vain appeal to Becker and Morgan for more money to hire a lawyer, confessed to Captain of Detectives Loe of San Francisco.

Thereupon Becker and Morgan were arrested in Newark, N. J., and were brought to San Francisco for trial. McCusker was acquitted, as nothing could be proved against him. Dean turned State's evidence and Becker and Morgan on the first trial were convicted of forgery and sentenced to life terms.

On the second trial the jury disagreed, and on the third Morgan "squandered" and was allowed to go free. Becker now that the game was up and pleaded guilty, with the admission that he was not to get more than seven years' imprisonment. The court kept talk with him.

Throughout his long trial he maintained the same calm as in previous trials, except on one occasion, when a newspaper editor attempted to get a sketch of him in court. He became wild with rage when he saw the artist drawing outlines of his head, and picking up a large inkstand threatened to hurt it at the offender's expense. He would not work. He was pushed by his counsel to the point of the jury of this strange outbreak of rage.

Becker, but Becker induced by with him, and together they went to Key, where Becker and several including Joe Chapman of London forged paper in many cities and in a large sum.

They were caught and placed in jail all except Chapman, who was barely detected by his pals. They were, however, to return to Los Angeles the hospitality of Chapman. They told her a fairy story about being put in a dungeon, and a day later she was found murdered in a room and all her fine jewelry.

Becker returned to New York and married a Brooklyn girl, who induced him to live over here. He added the Union Trust Company of New York of \$10,000 by one of his long checks, and was caught with his partner, covered himself by telling State's evidence and went to jail.

He returned to New York, where he caught while forging a \$15 draft on the Bank of France. When one of the notes was sent to the bank it was found to be more valuable than the others. Becker has a genius for making bank checks. With a few strokes of a pen he can make a check that will stand up to a fight, and with a pen he can make a check that will stand up to a fight.

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WIDOWHOOD NOT SUSTAINED BY EVIDENCE

Mrs. Jennie White has lost her claim to the estate of the late Jonathan White. Judge Tenth this morning decided that she is not the widow of the deceased and has no claim on his estate.

White and the woman who claimed he was married in the eighties. After a few years of married life they separated, and White was granted a divorce in San Jose. Before the divorce was granted White settled \$5,000 on his wife, and when the separation took place he gave her \$1,200 more.

In 1895 White, who had accumulated over \$100,000 in the dry goods trade, perished in the fire which destroyed the Baldwin Hotel. After his death a will was found by which he left all his property to his brothers and sisters living in New York.

When the will was offered for probate Mrs. White attached it on the ground that she was the principal heir of the deceased. She claimed to be still his wife, attacking the divorce as illegal. She needed that summons in the divorce was never served on her, and that judgment was granted without the slightest notice. To disprove her story the executor of the estate produced a deposition from a peoness server in New York, who testified that he personally served Mrs. White. Evidence was also produced to show that she had talked about the will and discussed the contents of the complaint.

Mrs. White claimed that the receipts for the money paid her by White before the divorce were forged, but Expert Theodore Ryka swore that the handwriting was hers.

In his decision Judge Tenth did not discuss the evidence, merely holding that Mrs. White's claim of widowhood was not proven.

The Copies Absolutely Disprove Claims Made by Attorney Who Is Leading Assault on Original Testament.

Garrett McEnerney's caution and good judgment have probably saved for Morrie Morbio his sole legatee. His will was an unusual document in that it bore two date lines. It was drawn on a bill head, and the first date was composed partly of figures printed into the paper. The second date line was in the handwriting of the deceased.

When the will was presented to McEnerney to be filed for probate he, realizing that as the deceased was no relative to the little girl to whom he left his property, there would probably be a contest from some quarter, had the will twice photographed and had the photographs identified by R. J. Casey, clerk of the Probate Department of the Superior Court. In due time the contest McEnerney anticipated was filed. It was made in the name of Carolina Antolli Casagranelli, who claimed to be a cousin of the deceased, and it was asserted by Attorney Spillvalo, in her behalf, that the second date was interpolated into the will.

Among her witnesses was D. T. Ames, the handwriting expert. He was expected to testify that the date line in dispute was forged, but when he got on the witness stand he was not as positive as Spillvalo desired him to be, although his testimony was in favor of the contestant. Another witness on whom Spillvalo depended, but who testified on the stand, was Louis Benussi. He knew Antolli's handwriting, but he could not say whether or not the line in controversy was penned by him. He was asked if when he saw the will, after it was filed, the date line was in it, and he replied that he did not think it was, but he said finally that he could not testify one way or the other on this point.

Spillvalo's son and his clerk, John C. Corbett, testified that they made copies of the will, having the original document before them in the County Clerk's office, and, as the disputed line was not in their copies, they were sure that it was not in the will when they saw it. Spillvalo himself testified positively that the line was not in the will when he saw it, two or three days after it was filed, and he gave reasons why, in his opinion, Antolli would not have dared the document in the manner employed.

When Spillvalo had concluded his case McEnerney calmly produced his photographic copies of the will. They bore the deputy clerk's mark of identification and more than that were entered in the records of the clerk. McEnerney stated that Antolli died at Morbio's house, and soon after his death Morbio brought to McEnerney a sealed envelope in which was found the will. McEnerney kept possession of it, sent it and the envelope at once to a photographer, in accordance with his habit of preserving incontrovertible evidence concerning important documents, and then filed it. Besides having the photographic copy officially indorsed and a certificate attached to it, he entered Morbio, Mrs. Morbio and Edgar E. Suire, brother of Mrs. Morbio, to put their initials on the copy so that they might be able to swear to it if the original will should be lost.

This morning McEnerney produced Deputy Clerk Casey and had him testify that he marked the copies of the will when the original document was filed. More than that he testified that the will was taken out by an officer after it was filed except Spillvalo, who examined it nine times. The photographer who copied the will was also called to identify his work. The case was not concluded when court adjourned.

Charles Becker, known in detective circles as the king of forgery and to criminals as "the Dutchman," will walk out of San Quentin Prison on Monday morning a free man after serving a seven-year sentence for the forgery of a \$22,000 draft on the Crocker-Woolworth National Bank. His term was reduced in four and a half years by his good conduct.

Becker has been a model prisoner. Most of the time that he has been in the prison he has been employed as clerk to the commissary, and he was most painstaking in any task that was given him. He had supervision of the account books of the department and they are models of the penman's art. At times he was called on to make designs for programs for entertainment that were held by the prisoners, and the skill of their execution shows that his hand has lost none of its cunning.

The prisoner has grown somewhat stout since he was sent to San Quentin. His hair is now white, and to look at him one would never suspect that he is the same man in the criminal world that the bankers most fear. He has a well-shaped head, a full, intellectual forehead, German features and hands that any woman might envy for the long, supple fingers and artistic nails.

There was a report a few months ago that the American Bankers' Association would pension Becker liberally when he came out of San Quentin, but James R. Branch, secretary of the association, denied this, as he said the association depended upon its detectives to protect its members and not upon subsidizing criminals. Despite this denial, several detectives declare that Becker can command a handsome salary if he will agree not to forge any more bank paper. When a man is an expert that he can turn out bank bills as good as the originals, or can make a check so that only the bank expert with powerful glasses can detect the fraud, he is worth bribing to restrain his skill.

The crime for which Becker has just paid by four and a half years in San Quentin was the forging of a check from \$12 to \$2,000. Frank S. Seiver, alias A. H. Dean, was the crook who planned the job.

He came to California from New York in December, 1885, and with him were Becker, James C. Cregan of New York and Joe McCusker.

Dean had about \$2,500. He opened an office in San Francisco, deposited most of his money in the Nevada Bank, drew small checks, made new deposits, and in a skillful way became known to the bank officers.

He went to Woodland, near the State capital, and bought a \$12 draft from the Bank of Woodland, drawn on the Crocker-Woolworth Bank of San Francisco. This draft he brought to San Francisco, and it was turned over by Cregan to Becker, who in five days altered the date and raised the amount from \$12 to \$2,000.

On December 31 Dean deposited this draft at the Nevada bank to his credit, and on the following day drew a check against it for \$2,000 and received the entire amount in cash. There was no suspicion excited by such a transaction, as Dean was supposed to be a reliable man, and many such men paid their hands in coin and drew much larger sums to meet the monthly payroll.

The forgery was only discovered at the end of the month, when the Crocker-Woolworth bank sent its monthly account to the Woodland bank. At that time the shell had been divided among the four men and they had scattered.

Dean and McCusker were soon caught in Minneapolis, and Becker and Cregan were arrested in San Francisco. The latter were released, as no charge could be made against them. They were preparing to go to Guatemala when Dean, who had made a vain appeal to Becker and Cregan for more money to hire a lawyer, confessed to Cregan of three-fifths loss of San Francisco.

Thereupon Becker and Cregan were arrested in Newark, N. J., and were brought to San Francisco for trial. McCusker was acquitted, as nothing could be proved against him. Dean turned State evidence and Becker and Cregan on the first trial were convicted of forgery and sentenced to life terms.

On the second trial the jury disagreed, and on the third Cregan "quitpled" and was allowed to go free. Becker said that the game was up and pleaded guilty, with the stipulation that he was not to get more than seven years' imprisonment. The court kept faith with him.

Throughout his last trial he maintained the same calm as in previous trials, except on one occasion, when a newspaper artist attempted to get a sketch of him in court. He became wild with rage when he saw the artist drawing outlines of his head, and picking up a large inkstand threatened to hurl it at the offender, and he was ejected from the court. He was quieted by his counsel, who feared the effect on the jury of this savage outburst of rage on the part of his client.

Becker is proud of his skill as a draftsman, but it was only an accident that made him a forger. He was born in Germany, and came to New York with his parents when he was 10 years old. That was in 1852.

He developed much skill at school with pen and pencil that he was apprenticed to an engraver. He soon developed great skill, but the criminal life was in him, for he was in love with a girl, and he forged a check to buy her an engagement ring.

His father was able to spare this, and because of his youth he escaped prison, but his sweetheart deserted him, his sister, whom he loved, died, and he was left with a gang of desperate criminals. His first exploit was in 1872, when with Joe Elliott he succeeded in robbing the Third National Bank of Baltimore of \$100,000.

Becker fled to France, where he met the very girl for whom he forged a check to buy her a ring. She had married a rich

jeweler, but Becker induced her with him, and together they were key, where Becker and Cregan, including Joe Chapman of 100, forged paper in many cities and won a large sum.

They were caught and placed in jail, but all escaped except Chapman, who was badly deserted by his pals. They seek the hospitality of Chapman. They told her a fairy story about the band being put in a dungeon, and in days later she was found in the room and all her fine jewelry.

Becker returned to New York and married a Brooklyn girl, who married true to him over the years. He robbed the Union Trust Company of New York of \$12,500, one of his last exploits, and was caught with his accomplices by running Siders. Then he went abroad and after a long time in Italy.

He returned to New York and caught while forging a \$1,500 draft on the Bank of France. When the notes were sent to the bank it was to be made certain that the notes were not altered. Becker has a genius for the hand, checks. With acids he writes in figures, and with some printed paper pulp he fills on with tracing the paper afterwards so that the change cannot be detected. He uses a magnifying glass to see the minute water marks in paper and produce the most intricate designs. Becker has displayed the sentence how he has based of the draft of a \$1,500.

A model of pattern, a key and good looks—that's the kind of success in his profession.

What Becker will do when out of San Quentin Prison is a problem. American bank presidents are interested. The bank could not afford an expert like Becker, a man of such cleverness, who would make it difficult for him. That he will reform is a man who knows him.

For thirty years he has been a professional, and in his earlier years he had been a very busy, so that the will in fact, and the wonderful pen.

FAMOUS HAND WRITING EXPERT HERE

T. KYTKA WAS IN THE CITY EN ROUTE TO SAN FRANCISCO.

Has Been Engaged on More Famous Cases Than Any Other Man and Can Write Another's Signature so That It Can Not Be Told From the Genuine.

Theodore Kytka, the most famous handwriting expert in the world, was in the city last evening, a guest of the Angelus club en route to his home in San Francisco from Abilene, Texas, where he has been a witness in a will forgery case. The case in which he has just been engaged was the contest of the will of Mrs. Merrill, who died and left a fortune of sixty thousand dollars. Mr. Kytka pronounced the will a forgery and his proof was so positive that it was set aside and a new will was admitted. Mr. Kytka pronounced the evidence by a comparison and an analysis of the writing, which satisfied the judge and jury that he was right.

He is now returning to San Francisco to appear as a witness in the case of Mrs. Bowers, who is charged with poisoning her husband. He found a forged prescription in a drug store where arsenic had been obtained by Mrs. Bowers. He has proven that it was a forgery and by comparing it with her handwriting he says that he can prove it. The trial that she wrote the prescription. It was supposed to be in the handwriting of the family physician, but Mr. Kytka says it is in the handwriting of the widow, who is the beneficiary of her husband's large life insurance policies.

Mr. Kytka is known all over the United States for his work of solving forgery mysteries and is employed by the United States and Canadian governments and all the large police departments of the country, having figured in the largest cases of this kind on record.

He can himself reproduce any writing and will post a large forfeit to prove that he can make ten counterfeit signatures of a person and that the person whose signature is counterfeited can not pick out over half of them. If they are mixed up with that many genuine signatures, being himself an expert forger he can therefore detect the work of others.

He is a wealthy man and has a large fortune, but is naturally gifted for this work, likes it and follows it. He gets a salary of \$25 a day and expenses when working for the government and large cities and in cases where wills are at stake he allows the court in six his fees. In a big trial where a man's liberty and an immense fortune were at stake he was recently allowed a fee of sixty thousand dollars for his services.

Mr. Kytka gave a Herald man a lengthy interview last evening on his work in the past eighteen years that he has lived in the United States, together with a brief sketch of the most important cases and these, with a handsome reproduction of the famous man in his laboratory will be printed in the Saturday Herald.

He has figured in more big cases than any other man in the world and in the last four years has not lost a criminal case where he attempted to prove forgery.

TESTIMONY IS FULL OF FLAT CONTRADICTIONS.

Witnesses Swear on Opposite Sides With Utmost Positiveness in Mining Case.

The remarkable character of the testimony in the suit of Thomas J. Duffy against Jule Lindberg in Judge Graham's court was emphasized yesterday. Andy Mehan swore that he was not present in Attorney Nelson's office at Nome when Duffy, it is alleged, signed the conveyance of his interest in claim No. 1 below Discovery, on Anvil creek, and also the release of Lindberg and his partners from all liability for damages for working this claim. Mehan's name is on both documents as a witness and Attorney Nelson and others have sworn that Mehan signed after Duffy did. Duffy has sworn that he did not sign either document, never was in Mehan's office at Nome and did not receive \$20,000 there, though several witnesses have declared under oath that he did.

Testimony has been given that Duffy left Nome and went to Seattle as soon as the \$20,000 was paid him, but Thomas Donohue supported Duffy's assertion to the contrary yesterday by swearing that he saw Duffy in the Nome district soon after the date of the documents, and Edward Teylin testified that he was on the steamer on which Duffy is said to have left Nome and he knew that Duffy was not aboard. Attorney Collins, representing Duffy, read the record in the suit which Duffy brought against Lindberg at Nome. It is alleged that the \$20,000 was paid to compromise this action.

Attorney Nelson remarked yesterday: "Whenever I pay out a large sum of money again I'll have a photograph of the scene taken and then I'll have absolute proof as to who is present." The trial will go on to-day.

Bulletin
Oct 1 - 1903

PROSECUTIONS FOR PERJURY MAY FOLLOW

Rival Witnesses in Mining Suit for Nine Hundred Thousand Dollars Freely Charge Each Other With False Swearing.

In the suit of Thomas J. Duffy against Jule Lindberg for \$900,000, on trial before Judge Graham, expert evidence was introduced today to dispute Duffy's testimony. Duffy claims that he was the original discoverer of claim No. 1 on Anvil Creek, at Nome, Alaska and that he was ejected by Lindberg without compensation for his interest. He goes for the value of the claim and the thousands that Lindberg has since taken out.

In controverting Duffy's claim, Lindberg produced deeds signed by Duffy, reciting title to the claim for \$20,000. Duffy denied that he ever signed the deeds, and on the witness stand swore that his alleged signature was a forgery. Witnesses were produced yesterday to swear that Duffy signed the deeds in their presence, and today Theodore Kytka, the writing expert, testified that the signatures were undoubtedly in the handwriting of Duffy. More than this, William H. Nelson, attorney for Lindberg, testified that he saw Duffy paid \$20,000 for his claim.

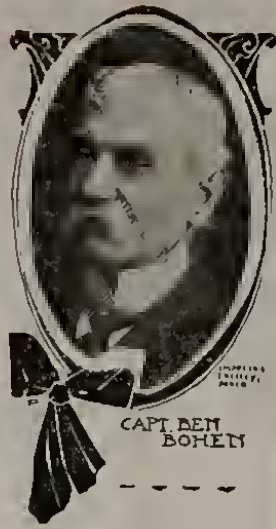
On both sides charges of perjury have been freely made since the trial began. Lindberg is so sure that he is in the right that he has sent for the notary before whom the deeds are said to have been acknowledged and made arrangements to lay the whole matter before the Grand Jury. He said today that he would try to indict both Duffy and his principal witness, Andy Mehan.

The case before Judge Graham will not be rushed for two or three days. It is being tried before a jury.

CASE FOR GRAND JURY.

There being perjury on one side of the case of the other in the suit of Thomas J. Duffy against Jule Lindberg, on trial in Judge Graham's court, the matter is to be called to the attention of the Grand Jury. Expert Kytka was on the witness stand at both sides of the court yesterday, and with photographs and enlargements he explained why he had no doubt that Duffy and Andy Mehan wrote their signatures on the disputed documents in the case. Duffy wants \$900,000 from Lindberg because the latter took that amount out of claim No. 1 below Discovery on Anvil creek in the Nome mining district and Duffy denies that he signed a deed conveying his interest in the claim for \$20,000.

LAST CALL COMES FOR BEN BOHEN



CAPT. BEN BOHEN

FORMER CAPTAIN OF DETECTIVES WHO DIED IN THIS CITY YESTERDAY.

Veteran Detective Goes to Final Rest and Is Mourned by Many.

FORMER CAPTAIN OF DETECTIVES BEN BOHEN, one of the most popular and efficient officers ever in the Police Department of this city, died yesterday afternoon at Maudsley's Sanitarium, 234 Butler street, after an illness covering a period of several months. The announcement of the death of the veteran officer will cause sorrow among the hosts of friends in all classes that he made during his many years of faithful service.

Deceased was born in Baltimore, Md., August 12, 1853, and when still a young man came West to seek his fortune. On September 19, 1881, he was appointed a patrolman in the Police Department in this city and on December 27, 1878, after eighteen years of meritorious service was made a detective sergeant. During his many years in the detective branch of the service Bohen made many clever captures and unraveled several of the mysteries which occupied the attention of the department.

On April 7, 1897, he was promoted to the position of captain and given charge of the detective bureau, in which position he established an enviable record as an executive officer and handled many important cases.

Captain Bohen retired on April 16, 1900, after thirty-nine years of service.

Deceased leaves two daughters to mourn his loss. They live at 223 Grove street. The funeral will be held to-morrow from the family residence under the direction of the Police Department and Interment will be in Holy Cross Cemetery.

THE COOTE CASE.

The case of Joshua Coote, charged with perjury, was called. The evidence in this matter has all been published in the full and need not again be gone into. Briefly stated Coote is accused of doing the Anandas and Sapphira act over a real estate deal with Mr. James Borland, and then making oath in incorrect statements. The case will likely occupy all day. The chief feature of the trial is the presence of a writing expert who has an international reputation.

The following jury was selected but not until the panel was almost exhausted by challengers: James A. Wallis, R. C. Nairn, W. Salter, A. Dalton, Isaac Watts, Hinch J. McFall, H. A. Gibbs, R. W. Partridge, Charles A. Scott, A. S. McDonald, Robert Boyd, Malcolm Martin.

Attorney-General McPhillips and Mr. G. F. Caine appear for the Crown and Mr. Joseph Martin for the defense.

Expert Says Duffy Signed Deed.

Theodore Kytka, the handwriting expert, was the only witness examined yesterday in the suit of Thomas J. Duffy against Jule Lindberg, which is on trial before a jury in Judge Graham's court. The case was then continued until next Tuesday. Kytka swears that the signature on the deed of the mining property involved in the suit is in Duffy's hand. Duffy claims that he never signed the document.

Call
Oct 2 - 1903

Chronicle
Oct 2 - 1903

World
Vancouver
Oct 14 - 1903

Forgers' Clever Tricks

Expert Kytka Gives Interesting Review Of Devices Of those Issuing Bad Paper

Did you ever forge a check, raise a draft or execute a fraudulent will with designs upon the estate of some deceased relative? No? Well, then you ought to be interested in the devices of those who undertake to obtain wealth by resorting to these tricks of art, for forgery, really, is an art which has been developed to such a high standard of perfection that frequently the shrewdest intellects in the world have been completely baffled.

There was in El Paso this week a man who stands at the head of the long list of experts on hand-writing—one who has been connected with many of the most celebrated forgery cases in the history of both the old and new worlds. His name is Theodore Kytka. If Mr. Kytka were to receive his experience to print, several large volumes would be required to tell the stories of his interesting and remarkable disclosures. He favored a Herald representative with a brief history of a few of the most celebrated cases with which he has been connected during his labors in the United States.

Forgeries Increasing.
Mr. Kytka declares that the number of forgeries committed are daily increasing and that only a very small percentage of the cases ever become known to the public. In many instances where forgeries are discovered the matter is settled in some way without going into court in order to protect the guilty ones from the disgrace that a public exposure would incur. The percentage of exposures is only one in twenty cases, and in sixteen out of twenty cases the crimes are committed by women.

Women, he says, evidently do not realize the enormity of the offense and, in their intense desire for gain, deceive themselves with the idea that most any old kind of forgery will answer the purpose. As a rule, these forgers, their work being in its nature and quite easily detected. Another reason to which he attributes the prevalence of the "manipulation" of the female sex in the presence of their minds that they, being women, will not be dealt with as harshly in the event of detection as would be the case with a man. And this is the reason why women are so numerous in the ranks of forgers.

ture to the alleged marriage contract proven to be a forgery. The signature was enlarged so that it occupied a space of six and one-half feet in length, thereby bringing out every detail in the characters. As a result, it was easily seen that the signature to the contract was much lighter than the genuine, and irregularities were discernable to the naked eye were clearly brought out. He had a photograph with him in El Paso of the alleged marriage contract.

Famous Forger Caught.

It was through the disclosures made by Mr. Kytka that Carl Berber, the greatest living forger of modern times, was run down in California a few years ago. He is now serving a term of eight years in the state penitentiary at San Quentin. Berber's greatest work was done when he raised a draft on the Bank of Woodland from \$12 to \$25,000 and obtained the money. In his early youth Berber was a skillful lithographic artist, and was therefore eminently fitted for the production of spurious checks or papers.

When his career of crime was brought to a close he admitted having committed forgeries amounting to nearly a million dollars, in a series of operations extending throughout the whole of Europe and America, deceiving by his artistic efforts the most expert and careful experts on signatures and forgeries. At one time the entire government of France was mystified by the appearance of many of the banks of International notes, which were so cleverly forged as to have defied detection by even the government experts. The president of the bank of France, admirably said that the spurious notes were superior in workmanship to the genuine. The raising of the draft on the Bank of Woodland was traced to Berber through an other paper known with the work on other paper known to have been previously done by him. After his conviction, Berber confessed to the crime.

Probably one of the most interesting cases where a fraud was detected through the disclosures of the work of Kytka was the case of a man named John Smith, who was convicted of forging some time ago. Upon this man's arrest, a waiting order was issued for his arrest, and he was taken to the state penitentiary at San Quentin.

S Grant, then president of the United States, and General William T. Sherman and wife as witnesses. The validity of the will was disputed and protracted litigation followed. Over forty witnesses, among them being experts and persons who were familiar with the signatures of the parties associated with the document, testified on the stand that the signatures were unquestionably genuine. Mr. Kytka proved that the will had been written years later than 1875 and that the signatures had been traced from documents on file in the war department, which bore the signatures of President Grant and General Sherman. Miss Throckmorton lost her case and the matter was allowed to drop.

A Case Well Known Here.

A case that attracted a great deal of attention in this city in which Mr. Kytka was the main witness in the prosecution, was the arrest a little over a year ago of Dillard, the deputy customs collector at San Francisco, who had forged the signature of the collector to hundreds of spurious Chinese certificates. He was captured in this action through the instrumentalities of Charles Melan, then Chinese inspector at this port, and it was at first believed that the forged signatures were genuine. The collector at San Francisco, Col. Lynch, was ready to acknowledge that they were genuine, but Mr. Kytka said they were forged and proved it to the satisfaction of Col. Lynch and others, and the jury convicted the fellow on four counts and put him out of business for a long time.

Another case in which Mr. Kytka figured was the famous Durand case at San Francisco, in which Durand was convicted of impersonating a young girl in the belly of a church. Mr. Kytka completed the chain of evidence by proving that the letter sent to a friend of the girl, and supposed to have been written by her, the day before she was found dead, in which she sent some rings and said she was tired of life, was a forgery and that it was really written by Durand after the crime.

Mr. Kytka, by means of letters and photographs some years ago, exposed the fraud of a man named John Smith, who was convicted of forging some time ago. Upon this man's arrest, a waiting order was issued for his arrest, and he was taken to the state penitentiary at San Quentin.



Motherhood is woman's natural destiny—actual barrenness is rare—comforting words to childless women.

Many women are denied the happiness of children simply because of some curable derangement of the generative organs. Among the many triumphs of Lydia E. Pinkham's Vegetable Compound is overcoming cases of supposed barrenness. Thousands of children owe their existence to Lydia E. Pinkham's Vegetable Compound. This great medicine is so well calculated to regulate every function of the generative organs that its efficacy in this respect is vouched for by multitudes of women.

Nine Years Without a Child.

"DEAR MRS. PINKHAM:—We had been married nine years and never had children, and now we have a little baby girl nineteen months old, the joy of our life. She owes her existence to Lydia E. Pinkham's Vegetable Compound."

"Before taking Lydia E. Pinkham's Vegetable Compound I was a constant sufferer. I had pains in my back and sides, especially before menstruation. I had doctored but received no benefit. Hearing so much about the Vegetable Compound I decided to try it, and after taking six bottles was cured."—Mrs. T. H. GOULDER, 1223 Nevada St., East Toledo, Ohio.

Portrait of a Baby Girl Who Owes her Existence to Lydia E. Pinkham's Vegetable Compound

"DEAR MRS. PINKHAM:—I wrote to you some time ago asking why I could not have a child. I explained that I had displacement of the womb and ovarian trouble, and suffered with backache and headache. You sent me a nice letter in reply giving me full instructions how to treat myself and in accordance with your directions I took Lydia E. Pinkham's Compound, and followed your kind advice faithfully in every respect, and now I have a beautiful baby girl, and my health is as good as ever. I hope other childless women will see this letter."—Mrs. John UNDERWOOD, 1111 Broadway, Cleveland, Ohio.



Another Happy Case in Brooklyn. LACKER, 1111 Broadway, Cleveland, Ohio.

...the vegetable compound enough for what it has done for me. I hope other childless women will see this letter."—Mrs. JOHN UNDERLATER, 111 Broadway, Cleveland, Ohio. I

Another Happy Case in Brooklyn.

"Dear Mrs. PINKHAM:—I wrote to you a year ago telling you of my troubles. I had pains in the ovaries, menses were painful, and I had never borne children.

"You answered my letter and I followed your advice. I was completely cured. Have just given birth to a fine, healthy babe, and during childbirth had a very easy time.

"Lydia E. Pinkham's medicines are a God send to women who want to be mothers."—Mrs. Sauter, 12 Luzner St., Brooklyn, N. Y.

Many women whose letters we print were utterly discouraged, and life lacked all joy to them when they wrote Mrs. Pinkham, Lynn, Mass., without charge of any kind. They received advice which made them strong, useful women again.

department of the government had his papers as a citizen of the United States six months after his arrival. He has been engaged ever since his arrival in this country in the deciphering of handwriting and working up forgeries and counterfeit cases for private individuals as well as the government, the various states and municipalities. He has an immense laboratory and the latest micro-photographic machine in the country, and is thoroughly conversant with photo engraving, etching and handwriting of all kinds. He speaks seven languages as fluently as his native tongue and can imitate any writing he ever saw, always writing backwards when he has a piece of work to imitate.

His Methods.

In proving a forgery he thoroughly analyzes the writing and shows to the judge and jury the various similarities or dissimilarities of a piece of writing that are unmistakable. To the ordinary person the writing may seem exactly the same, if a forgery, but he can show the difference to the satisfaction of anyone and can then prove the similarity to that of the person whom he accuses of the forgery. There are various peculiarities about the writing of any individual that cannot be concealed, and this comes out plainly when this expert shows it to the jury. He generally photographs the writing and enlarges it from ten to a hundred per cent, when the irregularities show up wonderfully. He has written the signatures of prominent bankers on slips of paper, taking ten of them, and allowing the banker to write his signature on a similar number of slips of the same kind, has given them over to the bank, after mixing them, and the banker he says, has never been able to pick out more than seven of the ten as forgeries. In most instances four and five are the limit.

Mr. Kytko is perhaps one of the worst hated men in the country by forgers and counterfeiters and in all ways in danger, but goes armed. He has a special permit from the United States department of justice, to carry a revolver and always has a minkskin pistol on his person. It carries fourteen cartridges, shooting steel bullets, and is a very deadly weapon.

In the last four years, although engaged in prosecuting many forgery and counterfeiting cases, Mr. Kytko has not lost a case.

Fresh Cranberries.
At Howard Macphedrick Co.'s 201 St. Louis street.

Mr. Kytko worked up the evidence in the Pinkham diamond robbery case in San Francisco and sent three people to the penitentiary by means of his ability to prove his contentions over forged handwriting.

He was engaged in the famous anarchist cases in Chicago years ago, and was of great service to the prosecution.

Micro-Photo Camera used by Expert Kytko in enlarging signatures for the detection of forgeries. It was manufactured expressly for use in the Fair will case at cost of \$5,000.



...which were paid under the misapprehension that they were genuine. The next class of documents which most frequently attract the forgers are the autographic wills. The public is too well informed upon the truth of the now "doing time" at one of the state institutions, Sullivan forged the names of four judges to order upon the city treasurer for the release of half money put up by offenders, and in this manner succeeded in obtaining about \$2,800 before he was caught. At the trial of the case one of the judges declared positively that one of the forgeries was his own signature. Mr. Kytko requested him to write his name ten times on as many slips of paper while he wrote the name of the judge on ten extra slips and mixed them up. The judge was then required to pick out his own, and when he had made the selections carefully it appeared that of those selected by him only two were genuine. Kytko the copy proved that forgery can be so expertly accomplished as to defy detection even by the principal.

One of the most recent cases in which Mr. Kytko did an important figure came up in Washington a few months ago. After the death of Judge Holt, one of the brightest judges in Washington, a will was received through the mail by the executor of his estate under the terms of which \$250,000 was bequeathed to a Miss Phoebe Knicker. The will bore date of 1873 and contained the names of U. S. Supreme Court Justices.

...years, respectively.

Fooled a Judge on His Signature.

In a similar manner, Van Sullivan, one of the most noted forgers ever in San Francisco, was run down and he is now "doing time" at one of the state institutions. Sullivan forged the names of four judges to order upon the city treasurer for the release of half money put up by offenders, and in this manner succeeded in obtaining about \$2,800 before he was caught. At the trial of the case one of the judges declared positively that one of the forgeries was his own signature. Mr. Kytko requested him to write his name ten times on as many slips of paper while he wrote the name of the judge on ten extra slips and mixed them up. The judge was then required to pick out his own, and when he had made the selections carefully it appeared that of those selected by him only two were genuine. Kytko the copy proved that forgery can be so expertly accomplished as to defy detection even by the principal.

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DEEDS OF THIS CHARACTER ARE WHAT COUNT IN EL PASO.

Deeds, not words.
Are what count.
El Paso people will believe this story.

Told by an El Paso woman because it proves deeds.
Read this case, but don't marvel. Lots more like it in El Paso.

Mrs. J. Dunning, living at 440 North Oregon street, says: "I had pains in the back which were so severe that I could hardly sit down unless I had to support myself in some way. It was the same when I tried to rise. I also suffered from expiring urinary weakness and a severe swelling of the limbs which made it difficult for me to get my stockings on. I could not rest well at night and arose in the morning without having had hardly any sleep, and usually feeling as tired and languid as though I had not seen a bed at all. I saw Dean's Kidney Pills advertised about this time and got a box at the El Paso Drug company's store, formerly A. K. Albers, and took them. I felt the beneficial effects of the treatment right away, and in a short time all the trouble had gone, pain, swelling and all."

For sale by all druggists. Price 50c. Foster-McMillan Co., Buffalo, N. Y., sole agents for the United States.

Remember the name "DOAN'S"—and take no other.

GREAT WORKS

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KYTKA LAUNCHED MILD SENSATION

SWORE THE RECEIPT WAS ALTERED

Said Difference Rendered Difficult the Illustration of Material Point in Coote Case--No Accusation of Intentional Mishandling--Addresses To Jury Proceeding.

THEODORE KYTKA sprang the sensation of the day in the Coote trial by swearing this morning that since he had examined the famous receipt at the last spring Assizes certain handling of it had put it in such shape that material points in the evidence it set forth to him had been obscured.

He did not go so far as to state that the handling had been intentional.

He stated that pressure had been made on the penell marks at that point where the "J" in Jos. Coote's signature was connected with the "r" in the word "Hastings."

Kytka's principal evidence rested on his ability to satisfy the court and jury that Jos. Coote's signature had been appended to the receipt prior to the time when the inscription "N. W. corner of Hastings & Westminster avenue" had been written lower down on the receipt than where the signature appeared.

The upper portion of the "r" extended into and connected with the extreme lower portion of the "J" in the word "Jos," which is the first word in Coote's signature. That such is the case is shown by the receipt and by the photographs and negatives of it.

Kytka swears positively that the designation of the location of the property appearing below Coote's signature was written after the signature had been inscribed. In his evidence he stated that Coote had signed with a hard penell; that the term "N. W. corner, etc.," had been written with a softer penell. He swore that the "r" in "Hastings" had been written over the lower portion of the "J" in "Jos."

He stated that as pressure had been placed upon the point in the original receipt where the "r" and the "J" intersected, it had been rendered harder for him to demonstrate his contentions to the court and jury.

Barring this handling and some finger-marks, the receipt was in the same condition as when he had seen it at the former criminal trial of the case.

He did not intimate that the handling had been intentional, and no evidence was produced to show that it had been. The receipt has been handled so frequently by counsel, by jury, by witnesses, and by the court, that it could hardly remain in the same condition if it was in when produced at the first trial.

Such was the portion of Kytka's evidence after he had been examined by Mr. Joseph Martin, as to his experience in former cases. Kytka related that he had been engaged on hundreds of cases, among which the Cordella Botkin murder case in San Francisco, and the Fair trial case in the same city, stood out prominently.

There was a flutter of excitement in the court when Kytka took the stand, and it was increased to tension when he swore concerning the handling the receipt had received since he had last seen it.

Counsel for the defense asked Kytka whether in his opinion the designation "N. W. Cor., etc.," had been written on the receipts before or after Coote had placed his signature upon it.

Witness unhesitatingly replied that the designation had been written after the signature had been placed upon the receipt. Under the questions of Mr. Martin, witness then went on to explain his reasons for making such a declaration. Those reasons were as set forth at the commencement of this article.

To illustrate his contentions Mr. Kytka brought forth a large blackboard, which was set up in such a position that court and jury had a clear view of it. Upon that blackboard he sketched what he claimed had occurred in the writing of the receipt. The original receipt was placed by Kytka under a powerful microscope and juryman and counsel examined it intently and carefully. When these illustrations had been concluded Kytka resumed the witness stand. He had been compelled to leave it in order to work upon the blackboard.

Mr. Joseph Martin, counsel for the defense, was not in the court to continue the examination of his witness when Kytka resumed the stand. Mr. Martin had disappeared. He could not be found. Porters, janitors and clerks industriously searched all the nooks around the Courtroom, but none could produce Mr. Martin.

The court settled down to wait. Pleas, motions, procs. and the court and jury waited for a while. At last Mr. Martin appeared. He was in a state of some excitement. He had been looking for Mr. Martin, but had not found him. He had been looking for Mr. Martin, but had not found him. He had been looking for Mr. Martin, but had not found him.

written on the receipt when the page bearing the receipt was in place in the book, he inferred that the term had been written at some time other than when the body of the receipt had been written.

Under cross-examination by Mr. G. F. Cane Kytka admitted that he could not swear that the term in question had not been written at the same time as the body of the receipt.

Under further questioning by Mr. Cane Kytka got slightly warmed up in temper and told counsel that as he was getting technical, why he (witness) would also become technical. Counsel and witness had several other tilts. Mr. Cane, taking up Borland's notebook, asked witness if it would not have been more natural for a man to place his signature to a document such as the receipt in the case, slightly away from the bottom of the notebook page rather than close to the bottom. Coote's signature was slightly away from the bottom of the paper upon which the receipt was written.

Witness replied in the negative, and then endeavored to explain that to his mind the designation of locality, appearing as it did below Coote's signature, would indicate that it was Coote's address. Mr. Cane got somewhat cross at this and indicated that such an idea was out of the question.

Witness--It would appear all right to any sensible man.

Mr. Cane--Then I'm not a sensible man.

Mr. Martin--We'll not dispute that point Mr. Cane.

Mr. Cane then questioned witness concerning other court cases in which he had acted as expert in handwriting and witness. He asked Kytka how many experts had been employed in the Fair trial case, and other famous cases of litigation. Counsel questioned witness as to whether or not experts did not at times give opinions and evidence in opposition to one another. Witness replied concerning cases cited by counsel that such was not the case. He mentioned one case in which an expert had been employed by the side opposed to the one on which he was working, and stated that this expert had declined to act after investigating the facts. Witness said the money he received for his work had no bearing upon his evidence. He said he merely discovered matters as he found them, and it was immaterial to him whether they suited his employers or not. After giving some further unimportant testimony, Kytka was released from the stand, and the court adjourned for luncheon.

Upon the resumption of the sitting at 2 o'clock this afternoon, Mr. Martin, counsel for Coote, commenced his address to the jury. When he concludes, the Crown counsel will lay down to the jury the evidence as it appears from that side.

A verdict may be reached late this afternoon.

TESTIMONY IN THE COOTE TRIAL CASE HEARD IN ASSIZES

Sharp Cross-examination of Witness Borland by Counsel for Coote--Hearing of Perjury Charge Causes Intense Interest in Court.

THE Honorable Mr. Justice Drake presiding, the Court of Criminal Assize opened at 11 o'clock this morning to the consideration of the last case on the docket.

It is that of Rex vs. Coote. The case is fairly well known to the reading public on account of having been before the courts for over a year, having first cropped out in a civil action, and later developed into one which the Criminal Assize Court of last spring was called upon to handle. The charge against Mr. Josiah Coote is that of perjury.

As it was generally known that the case would be called upon the opening of the court this morning, the courtroom was packed and remained crowded right up to the time of adjournment--1 o'clock this afternoon. The sitting was resumed at 2 o'clock, and the taking of evidence continued.

As there is no possibility of all the facts in the matter being placed before the jury to-day, there will be a continuation of the case on Friday, for there will be no session of the court to-morrow, Thanksgiving Day. It is even possible that the case will run on till Saturday.

Possibly the most interesting evidence which will be produced on behalf of the Crown will be that of Mr. Theodore Kytka, the photographic expert, who during late years has been frequently seen before the American courts in connection with celebrated will cases. At the spring sitting of the Assize Court Mr. Kytka gave evidence on the Coote case, his testimony at that time affecting certain writings which appeared on a receipt which Mr. Coote allegedly gave to James Borland, who acted on behalf of George W. Dawson in the matter of the purchase of certain property, the deal in which was primarily the cause of the present action. In the string of witnesses Mr. Kytka will hardly be reached this afternoon.

The prosecution of the Crown is in the hands of Attorney-General McPhillips and Mr. G. F. Cane, the latter having acted in a similar capacity at the last spring Assizes. Mr. Joseph Martin is appearing on behalf of Mr. Coote. Following the presentation of the grand jury this morning the preliminary transaction in connection with the Coote case was the drawing of the jury. The juryman being selected only after many had been told to stand aside by the Crown, and others had been challenged for the counsel for the defense.

The jury drawn in the case was composed of the following gentlemen: Jas. A. Wallis (foreman), Roderick C. Nairn, William Suter, Andrew Dalron, Isaac Walte, Hugh J. McColl, H. A. Gibbs, H. W. Partridge, Charles A. Scott, A. S. McDonald, Robert Boyd and Malcolm Martin.

After the jury had been impaneled Attorney-General McPhillips addressed the jury on the circumstances and history of the case.

The Attorney-General stated that at the previous trial at the Assizes last spring the prisoner at the bar, Coote, had been found guilty of perjury, but upon appeal the Full Court had directed that a new trial occur, because certain evidence which should have been admitted at the trial had been excluded.

The charge of perjury against Coote came up through a civil suit brought against him in November, 1902, in which the plaintiff was James Borland. Mr. Borland had conducted certain negotiations with Mr. Coote for the sale of certain property owned by him (Coote). This property, as claimed by Borland, is situated at the northwest corner of Hastings street and Westminster avenue. Borland at the time giving Coote the sum of \$10 as a deposit. The remainder of the purchase price, \$10,920, was to follow the deposit of a date not distant from that on which the deposit was made.

In placing these salient points of the Crown's case before the jurors, the Attorney-General went on to state briefly that after a great deal of shuffling Coote had given a receipt to Borland for the sale of the property at the northwest corner of Hastings street and Westminster avenue. Borland at the time giving Coote the sum of \$10 as a deposit. The remainder of the purchase price, \$10,920, was to follow the deposit of a date not distant from that on which the deposit was made.

In further explanation of the case the Attorney-General stated that when tendered the balance in question, Coote refused to accept it. Action was brought to compel Coote to carry out this agreement. Out of the civil case arose the charge of perjury.

The perjury charge was laid because in the witness box in the civil action Coote swore that certain distinctive initials on the receipt of deposit he gave to Borland had been placed in writing on the paper after he had signed, and without his knowledge.

Upon the conclusion of the Attorney-General's explanatory address, Mr. Joseph Martin, counsel for Coote, began his cross-examination of the witness.

Mr. Borland caused some amusement by telling Mr. G. F. Cane, counsel for the Crown, who was examining him, that he could tell his story better if left alone. Mr. Cane explained to witness that he would have to question him, as the examination had to proceed along certain lines.

Borland then went on to say that he had given the deposit to Coote, who had signed the receipt, after inserting in it a designation of the property. He secured from Coote a list of the tenants. Witness told of Coote subsequently refusing to complete the deal with him. Coote, he said, wished him to buy the northwest corner of Hastings street and Westminster avenue, for which he would give a deed giving Borland the northwest corner of the intersection of the above named thoroughfares. Borland told of the commencement of action in November, 1902.

Cross-examined by Mr. Joseph Martin, Borland said he had no interest in the civil suit, nor had he laid the charge of perjury against Coote.

Mr. Martin asked if witness had hunted up witnesses for the Crown.

Borland said no.

Mr. Martin pressed Borland, and then Borland said he had mistaken Mr. Martin's question. Said he thought Mr. Martin had said "jury" instead of "witnesses."

He admitted that he had spoken to witnesses.

Mr. Martin--Why did you speak to witnesses?

Mr. Borland--My character is worth fixing up.

Mr. Borland went on to say that one of the witnesses, Mr. Fleit, had come to him on the street and talked the case over.

Witness said he had met Mr. Roome on the street and talked of the case. He said Mr. McKenzie and he met on the street and Mr. McKenzie said he hoped he would not be subpoenaed. He could not say as to when this meeting occurred.

Afternoon Session.

The court having at 2 p.m. resumed its sitting, James Borland resumed his position in the witness-box and faced the queries of Mr. Joseph Martin. The cross-examination of counsel for the defense referred to evidence given by witness upon former trials, and ran along that line for some three-quarters of an hour.

Taking up the receipt which Coote is alleged to have given Borland, Mr. Martin drew his attention to the fact that Mr. Coote's name appears on it as a signature not at the end of the document, but between the beginning and the end of it.

Coote has stated that the term "N. W. corner" was not on the receipt when he signed it. The term now appears below Coote's signature.

Mr. Martin asked witness if it was not general practice for a man to attach his name to a written document at the end or bottom of such.

Witness said he believed that signatures at the end of a document were the general practice.

Counsel for the defense took up a letter written by Coote to Borland, in which the writer stated that he returned the deposit of \$10 as he could not arrange with the mortgagee of the property so that a clear title to it could be given.

Mr. Martin then read a letter Borland had sent to Coote in answer to the above-mentioned letter referring to the "mortgage." This letter of Borland's stated that if the mortgage could not be lifted he would take it up and carry it to maturity.

Mr. Martin asked witness if it would not appear peculiar to Coote to talk of dealing with the "mortgage" of the northwest corner of Hastings street and Westminster avenue when he was himself the owner of it and would be the "mortgagee" himself were he to have borrowed money on the property. Counsel asked witness if the use of the term "mortgage" in the letter written by Coote would not bear out Coote's contention that he wished to sell Borland the northeast corner (which he did not want), and not the northwest corner, which he did own.

Mr. Martin held that it was evident from Coote's reference to the "mortgage" it was plain that he was indicating the owner of the property which he should sell he had tried to sell to Borland, viz., the northeast corner of Hastings street and Westminster avenue.

The cross-examination of James Borland was proceeding as The Tribune went to press.

IN MOURNING.

THE HONORABLE KYTKA sprang to the sensation of the day in the court trial by swearing this morning that since he had examined the famous receipt at the last spring Assizes peculiar handling of it had put it in such shape that material points in the evidence it set forth to him had been obscured.

He did not go so far as to state that the handling had been intentional.

He stated that pressure had been made on the pencil marks at that point where the "J" in Jos. Coote's signature was connected with the "u" in the word "Hastings."

Kytka's principal evidence rested on his ability to satisfy the court and jury that Jos. Coote's signature had been appended to the receipt prior to the time when the inscription "N. W. corner of Hastings & Westminster avenue" had been written lower down on the receipt than where the signature appeared.

The upper portion of the "u" extended into and connected with the extreme lower portion of the "J" in the word "Jos." which is the first word in Coote's signature. That such is the case is shown by the receipt and by the photographs and negatives of it.

Kytka swears positively that the designation of the location of the property appearing below Coote's signature was written after the signature had been inscribed. In his evidence he stated that Coote had signed with a hard pencil; that the term "N. W. corner, etc.," had been written with a softer pencil. He swore that the "u" in "Hastings" had been written over the lower portion of the "J" in "Jos."

He stated that as pressure had been placed upon the point in the original receipt where the "u" and the "J" intersected, it had been rendered harder for him to demonstrate his contentions to the court and jury.

Barring this handling and some finger-marks, the receipt was in the same condition as when he had seen it at the former criminal trial of the case.

He did not intimate that the handling had been intentional, and no evidence was produced to show that it had been. The receipt has been handled so frequently by counsel, by jury, by witnesses, and by the court, that it could hardly remain in the same condition it was in when produced at the first trial.

Such was the portion of Kytka's evidence after he had been examined by Mr. Joseph Martin as to his experience in former cases. Kytka related that he had been engaged on hundreds of cases, among which the Cordell Rotkin murder case in San Francisco, and the Fair will case in the same city, stood out prominently.

There was a flutter of excitement in the court when Kytka took the stand, and it was increased to tenseness when he swore concerning the handling the receipt had received since he had last seen it.

Counsel for the defense asked Kytka whether in his opinion the designation "N. W. Cor., etc." had been written on the receipts before or after Coote had placed his signature upon it.

Witness unhesitatingly replied that the designation had been written after the signature had been placed upon the receipt. Under the questions of Mr. Martin, witness then went on to explain his reasons for making such a declaration. Those reasons were as set forth at the commencement of this article.

To illustrate his contentions Mr. Kytka brought forth a large blackboard, which was set up in such a position that court and jury had a clear view of it. Upon that blackboard he showed what he claimed had occurred in the writing of the receipt. The original receipt was placed by Kytka under a powerful microscope and jury and counsel examined it individually and carefully. When these illustrations had been concluded Kytka resumed the witness stand. He had been compelled to leave it in order to work upon the blackboard.

Mr. Joseph Martin, counsel for the defense, was not in the court to continue the examination of his witness when Kytka resumed the stand. Mr. Martin had disappeared. He could not be found. Detectives, janitors and clerks industriously searched all the nooks around the Court-house, but none could produce Mr. Martin.

The court sat down to wait. Five minutes passed, and the court and Crown counsel grew restless. Spectators wondered if Mr. Martin had been kidnapped, and interest in him had reached an acute stage just as he could be heard hurrying stamping up the stairs. Mr. Martin donned his gown, and apologized to the honorable Mr. Justice Drake for the delay he had caused, and all was forgiven.

Upon resuming his testimony, Kytka was handed Borland's notebook, upon a page of which the receipt had been written. The page afterwards having been torn out. He was asked to find where the page had been torn out. He did so, and then went into an explanation of the indentations produced on the page beneath that on which the receipt had been written. The four pages are attached to the receipt had produced certain pressure marks on the under side. The marks of Mr. Martin, witness stated that as he could not find any pressure mark, he thought that the "N. W. Corner" was written

after the receipt had been placed in the book, he inferred that the term had been written at some time other than when the body of the receipt had been written.

Under cross-examination by Mr. G. F. Cane Kytka admitted that he could not swear that the term in question had not been written at the same time as the body of the receipt.

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Witness—it would appear all right to any sensible man.

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Mr. Cane then questioned witness concerning other court cases in which he had acted as expert in handwriting and witness. He asked Kytka how many experts had been employed in the Fair will case, and other famous cases of litigation. Counsel questioned witness as to whether or not experts did not at times give opinions and evidence in opposition to one another. Witness replied concerning cases cited by counsel that such was not the case. He mentioned one case in which an expert had been employed by the side opposed to the one on which he was working, and stated that this expert had declined to act after investigating the facts. Witness said the money he received for his work had no bearing upon his evidence. He said he merely discovered matters as he found them, and it was immaterial to him whether they suited his employers or not. After giving some further unimportant testimony, Kytka was released from the stand, and the court adjourned for luncheon.

Upon the resumption of the sitting at 2 o'clock this afternoon, Mr. Martin, counsel for Coote, commenced his address to the jury. When he concluded, the Crown counsel will lay down to the jury the evidence as it appears from that side.

A verdict may be reached late this afternoon.

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An there is no possibility of all the facts in the matter being placed before the jury to-day, there will be a continuation of the case on Friday, for there will be no session of the court tomorrow, Thanksgiving Day. It is even possible that the case will run on till Saturday.

Possibly the most interesting evidence which will be produced on behalf of the Crown will be that of Mr. Theodore Kytka, the rhinograph expert, who during late years has been frequently seen before the American courts in connection with celebrated will cases. At the spring sitting of the Assize Court Mr. Kytka gave evidence on the Coote case, his testimony at that time affecting certain writings which appeared on a receipt which Mr. Coote allegedly gave to James Borland, who acted on behalf of George W. Dawson in the matter of the purchase of certain property, the deal in which was primarily the cause of the present action. In the string of witnesses Mr. Kytka will hardly be reached this afternoon.

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The jury drawn in the case was composed of the following gentlemen: Jas. A. Wallis (foreman), Roderick C. Nairn, William Satter, Andrew Dalron, Isaac Walter, Hugh J. McCall, H. A. Gibbs, R. W. Partridge, Charles A. Scott, A. B. McDonald, Robert Boyd and Malcolm Martin.

After the jury had been impaneled Attorney-General McPhillips addressed the jury on the circumstances and history of the case.

The Attorney-General stated that at the previous trial at the Assizes last spring the prisoner at the bar, Coote, had been found guilty of perjury, but upon appeal the Full Court had directed that a new trial occur, because certain evidence which should have been admitted at the trial had been excluded.

The charge of perjury against Coote came up through a civil suit brought against him in November, 1902, in which the plaintiff was James Borland. Mr. Borland had conducted certain negotiations with Mr. Coote for the sale of certain property owned by him (Coote). This property, as claimed by Borland, is situated at the northwest corner of Hastings street and Westminster avenue. These lots are known as 9 and 10, block 9.

In placing these salient points of the Crown's case before the jurors, the Attorney-General went on to state briefly that after a great deal of dickering Coote had given a receipt to Borland for the sale of the property at the northwest corner of Hastings street and Westminster avenue, Borland at the time giving Coote the sum of \$30 as a deposit. The remainder of the purchase price, \$18,850, was to follow the deposit at a date not distant from that on which the deposit was made.

In further explanation of the case the Attorney-General stated that when tendered the balance in question, Coote refused to accept it. Action was brought to compel Coote to carry out this agreement. Out of the civil case grew the charge of perjury.

The perjury charge was laid because in the witness box in the civil action Coote swore that certain distinctive notations on the receipt of deposit he gave to Borland had been placed in writing on the paper after he had signed, and without his knowledge.

Upon the conclusion of the Attorney-General's explanatory address, Mr. Joseph Martin, counsel for Coote, admitted that Coote had sworn to all and certain statements as set forth in the indictment.

James Borland, plasterer, and one of the counsel figures in the case, then took the stand. He related the manner in which he had opened negotiations with Coote for the property in dispute. Borland told of securing from Coote a statement that the income from a property was \$18,850 a year. The figures were placed in Borland's notebook and placed in exhibit. Borland frequently saw George W. Dawson, gave him \$10 to deposit in a bank. At the same time he gave out a receipt for deposit of the balance due on property from Coote.

At this juncture

Barland then went on to say that he had given the deposit to Coote, who had signed the receipt, after inserting in it a designation of the property. He secured from Coote a list of the tenants. Witness told of Coote subsequently refusing to complete the deal with him. Coote, he said, wished him to buy the northwest corner of Hastings street and Westminster avenue, for which he would give a deed. Coote refused to sign a deed giving him the northwest corner of the intersection of the above named thoroughfares. Borland told of the commencement of action in November, 1902.

Cross-examined by Mr. Joseph Martin, Borland said he had no interest in the civil suit, nor had he laid the charge of perjury against Coote.

Mr. Martin asked if witness had directed up witnesses for the Crown.

Borland said no.

Mr. Martin pressed Borland, and then Borland said he had mistaken Mr. Martin's question. Said he thought Mr. Martin had said "jury" instead of "witnesses."

He admitted that he had spoken to witnesses.

Mr. Martin—Why did you speak to witnesses?

Mr. Borland—My character is worth fixing up.

Mr. Borland went on to say that one of the witnesses, Mr. Flett, had come to him on the street and talked the case over.

Witness said he had met Mr. Roome on the street and talked of the case. He said Mr. McKenzie and he met on the street and Mr. McKenzie said he hoped he would not be subpoenaed. He could not say as to when this meeting occurred.

Afternoon Session.

The court having at 2 p.m. resumed its sitting, James Borland resumed his position in the witness-box and faced the queries of Mr. Joseph Martin. The cross-examination of counsel for the defense referred to evidence given by witness upon former trials, and ran along that line for some three-quarters of an hour.

Taking up the receipt which Coote is alleged to have given Borland, Mr. Martin drew his attention to the fact that Mr. Coote's name appears on it as a signature not at the end of the document, but between the beginning and the end of it.

Coote has stated that the term "N. W. corner" was not on the receipt when he signed it. The term now appears below Coote's signature.

Mr. Martin asked witness if it was not general practice for a man to attach his name to a written document at the end or bottom of such.

Witness said he believed that signatures at the end of a document were the general practice.

Counsel for the defense took up a letter written by Coote to Borland, in which the writer stated that he returned the deposit of \$30 as he could not arrange with the mortgagee of the property so that a clear title to it could be given.

Mr. Martin then read a letter Borland had sent to Coote in answer to the above-mentioned letter referring to the "mortgage." This letter of Borland's stated that if the mortgage could not be lifted he would take it up and carry it to maturity.

Mr. Martin asked witness if it would not appear peculiar of Coote to talk of dealing with the "mortgage" of the north west corner of Hastings street and Westminster avenue when he was himself the owner of it and would be the "mortgagee" himself were he to have borrowed money on the property. Counsel asked witness if the use of the term "mortgage" in the letter written by Coote would not bear out Borland's contention that he wished to sell Borland the northwest corner (which he did not own), and not the northwest corner, which he did own.

Mr. Martin held that it was evident from Coote's reference to the "mortgage" it was plain that he was indicating the owner of the property which he (Coote) said he had tried to sell to Borland, viz., the northwest corner of Hastings street and Westminster avenue.

The cross-examination of James Borland was proceeding as The Province went to press.

Oct-17-1903

W. J. Coote

CHIEF IN MOURNING.

BIG FEES ALLOWED THREE FAIR ESTATE CLAIMANTS

CLAIMS AGGREGATE GOODLY SUM OF \$187,000

THEY ARE SHARING THE SAVINGS OF THE LATE SENATOR JAMES G. FAIR.

JOSEPH HARVEY

JOHN SEYMOUR

Joseph Harvey Gets \$112,000, Charles S. Neal \$50,000 and Captain John F. Seymour \$25,000 by Order Judge Cook

ADMINISTRATORS HAD APPROVED ALL AMOUNTS

The Fair heirs are still occupying a great deal of attention in the local courts, and big fees are yet being paid out. Yesterday the following awards of fees for services to



CHARLES L. FAIR

MRS. NELSON

"About that \$25,000, I will give you that as soon as I return from Europe. I have paid out a great deal of money just at this time," and he said, "If it is just as well I will give it to you when I come back"—and I said, "That is satisfactory to me," and he said, "You are with the estate anyway," and I said, "That is perfectly satisfactory."

Q And when he came back he was to give you an agreement in relation to ten years? A Yes, sir.

Q So you made this claim for \$25,000? A Yes, sir.

Q That has never been paid and is still due and owing? A Yes, sir. Mr. Fair told Mr. Heggerty the same as I state here, that he had agreed to give me that amount of money. Mr. Lloyd—Q (To Mr. Delrichs) You are aware of these facts Mr. Delrichs? A Yes, sir.

Q And that is the reason you allowed these claims as just claims against the estate? A Yes, sir. I had many conversations on these subjects with Mr. Fair—we were together every day, every morning, in the temporary office, and these matters were discussed again and again by Mr. Fair and myself.

Charles J. Heggerty, in discussing the deposition of Mrs. Harriet R. Nelson, the mother of the late Mrs. Charles L. Fair, that undue influence had been brought to bear to get her to quit all claims to her daughter's estate for the sum of \$100,000, declared the whole case "a matter of infamous lies."

Mr. Heggerty recently returned from the East, where he was called at the request of Mrs. Harriet Nelson and Mrs. William K. Vanderbilt Jr., to be present at Caldwell, N. J., when Mrs. Nelson made her deposition.

"Mrs. Nelson contradicts herself in her deposition," the attorney said yesterday afternoon. "She says now that when she left San Francisco she was thoroughly satisfied with the settlement. Upon her arrival at her home at Caldwell, N. J., she was besieged by a horde of attorneys, as she styles it. The attorneys who wanted to secure her an estate here so numerous that she said the only way she could avoid them was by seeking the attention of her own room and going to bed."

"She said that at last she received reliable information that Mrs. Fair was the real heiress and hence her application to the courts for the setting aside of the existing settlement."

"When Mrs. Nelson arrived in San Francisco shortly after the death of the Fairs, Charles J. Smith, one of Mrs. Nelson's sons, employed Judge A. Y. Colton, as he had been recommended by Professor Penas of Stanford, who was a friend of the family, Judge Colton read the law in her and explained that if Mrs. Fair died Mrs. Nelson was entitled not only to Mrs. Fair's estate, but also to that of her son-in-law, Charles Fair. But Mrs. Nelson would have none of it, she wanted an immediate settlement."

"A commission has been appointed and the attorneys have called for Europe to take the depositions of the French witnesses who claim to have been present when both Mr. and Mrs. Fair died. The whole thing is a matter of infamous lies and we will never listen to another compromise; we will fight the case to the bitter end."

ALL AMOUNTS ALLOWED.

Judge Cook made an order setting the account as presented by the administrators and requiring the payment of the Harvey, Neal and Seymour claims.

the Charles L. Fair estate were made by Superior Judge Carroll Cook:

To Joseph Harvey, for money advanced to Charles L. Fair, and the fees he rendered, \$112,000

To Charles S. Neal, for services rendered, \$50,000

To Captain John F. Seymour, for services rendered, \$25,000

Besides these awards the Court ordered that \$4,533.19 be paid to the Crocker-Woolworth Bank for money advanced, and about fifty small claims were allowed.

A new proceeding against the estate in the suit begun yesterday by Thomas H. Rooney, brother of Mrs. James G. Fair, uncle to Charles L. Fair. Mr. Rooney demands \$75,000 for advice given to his nephew in regard to contemplated mining investments. Mr. Rooney, who resides at 912 Guerrero street, alleges that he was employed by his nephew to examine all mining properties offered to him for investment and that by his expert judgment and his investigations he saved many hundreds of thousands of dollars to the young millionaire. Being a member of the family, Mr. Rooney thought all he had to do was to present his claim for services, but the administrator refused to make any payment to him, and so the case has been taken to the courts.

Testimony in relation to the Harvey, Neal and Seymour claims was taken by Judge Cook yesterday morning before the awards were made. The estate and the claimants being represented by Reuben Lloyd and Charles J. Heggerty.

Hermann Delrichs was the first witness. He stated that he and Mr. Neal were administrators of the estate of Charles L. Fair and Caroline H. Fair. Mr. Neal had carried on the business management under his direction. The accounts as presented were approved by Mr. Delrichs.

TESTIMONY ON THE CLAIMS.

Mr. Neal testified that he had been the manager of the James G. Fair estate and also of the estate of Charles L. Fair. His own claim and the claims presented by Mr. Harvey and Captain Seymour were just and proper, in his judgment, and should be allowed. Charles L. Fair had ordered the employment of Captain Seymour at a salary of \$300 a month. Mr. Harvey, the witness said, had been in very confidential relations with Charles L. Fair and had advanced him large sums of money, aside from the performance of valuable services. Concerning his own claim for \$50,000, Mr. Neal said his services with Fair were continuous from the time of his father's death and until his death; that he attended to all Fair's business.

Joseph Harvey, concerning his claim on the estate, said he had known Charles L. Fair intimately for twenty years and that "hundreds of times" he loaned Fair money. They kept a running account, upon which Fair paid at times, but at his death he still owed for three loans aggregating \$30,000, one for \$20,000 in December, 1901; another for \$20,000 in February, 1902, and a third for \$20,000 in April, 1902. Besides loaning his certain services in connection with the estate, before he went away to Europe, Harvey said, Fair summed up his debt at about \$100,000.

CAPTAIN SEYMOUR'S CLAIM.

Captain John F. Seymour testified as follows: Mr. Lloyd Q. You know Charles L. Fair?

\$956,662.69 IS READY FOR DISTRIBUTION

Davis Will First Presented Is Claimed to Be a Forgery.

The estate of Jacob Z. Davis, whose will was contested by his heirs, is now ready for distribution, and yesterday a complaint to show heirship was filed at the office of the County Clerk.

The document is over ninety pages in length and reviews the case. It claims that the will first presented in which Davis made Elizabeth M. Muir and Isabella Corlie heirs was fraudulent and a forgery.

The estate is valued at \$956,662.10. The following are those whose names are assigned to the complaint in show heirship: Catherine Stodd, Laura E. Tracy, Joseph P. Wilson, Elizabeth Wilson, Samuel S. Wilson, Jacob D. Wilson, Elizabeth Boellie and Annie Childs.

COOTE FOUND NOT GUILTY.

Jury After a Short Deliberation Bring in a Verdict of Not Guilty and the Prisoner is Immediately Discharged.

A verdict of "Not guilty" was returned by the jury to the case of Rex vs. Coote about 1:30 o'clock last night.

Argument of counsel was concluded at 4:45 p.m. by Mr. G. F. Kane for the Crown and Mr. Joseph Martin, R. C., for the accused. Mr. Martin's address was a masterful one, not one syllable of evidence capable of being construed in the prisoner's favor escaping his attention.

During the progress of the trial and up to the time when the jury retired, the Court was crowded by interested spectators. Apparently anticipating a long deliberation in the Jury Room, the audience afterward thinned considerably, but there was still a good-sized crowd in attendance when the verdict was rendered.

In the preceding passages of the case, it was the evidence of Kyika, the writing expert, which principally engaged attention.

Although not a vital point in the trial a great deal of incidental importance attached to the issue concerning the description of the property subscribed on the receipt signed by Coote, that is whether the words "N. W. corner of Hastings and Westminster Avenue" were written before or after the signature was appended.

Kyika's opinion was given as an expert, that these words were written after Coote subscribed in the document and his method of reaching this opinion, as expounded to the jury, was perhaps the most interesting feature of the trial.

For this demonstration

A POWERFUL MICROSCOPE

was set up upon a table in front of the jury box, and its lenses focused upon that part of the receipt which was in dispute. This was done with the object of showing that the upper portion of the "N" in Hastings, a part of the writing beneath the signature, which overlapped the "J" in Coote's name, was laid on after the name was written. As a result of this observation Kyika swore that the designation of the property appearing on the receipt below Coote's signature, was written after the signature was inscribed. This proposition was opened to the inspection of the jury, who individually scrutinized the document through the magnifying instrument. While contending that the transparency of the demonstration was somewhat marred owing to the constant handling to which the paper had been subject since the last trial, Kyika challenged the inspection of Court and jury and caused to his contention.

MR. JUSTICE GRABER

in charging the jury, succinctly reviewed the evidence and instructed the jury in the law bearing on the case. It was for the jury to decide whether the evidence that a sale of the north-west corner had actually taken place was sufficiently corroborated.

Coote was discharged immediately after the verdict was rendered and the Court adjourned.

Nov 19 1903

Oct 18-1903
Van Coven B. C.

THE DAILY NEWS-ADVERTISER, V.

Oct 18-1903
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A verdict of "Not guilty" was returned by the jury in the case of Rex vs. Cooch about 3:30 o'clock last night. Argument of counsel was concluded at 4:45 p.m. by Mr. C. F. Kane for the Crown and Mr. Joseph Martin, K. C., for the accused. Mr. Martin's address was a masterful one, not one syllable of evidence capable of being construed in the prisoner's favor escaping his attention.

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PUBS. BY NFAI

the Charles L. Fulr estate were made by Superior Judge Carroll Cook.

To Joseph Harsay, for money advanced to Charles L. Fulr
for real estate ordered, \$112,000

To Charles S. Axel, for services rendered, 50,000

To Captain John P. Seymour, for services rendered, 25,000

Besides these awards the Court ordered that \$14,583.10 be paid to the Crocker-Woolworth Bank for moneys advanced, and about fifty small claims were allowed.

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Mr Neal testified that he had been the manager of the James G. Fair estate and also of the estate of Charles L. Fair. He saw citizens and the plains presented by Mr. Harvey and Captain Seymour were just and people, in his judgment, and should be allowed. Charles L. Fair had ordered the employment of Captain Seymour at a salary of \$300 a month. Mr. Harvey, the witness said, had been in very confidential relations with Charles L. Fair and had advanced him large sums of money, aside from the performance of valuable service. Concerning his own claim for \$50,000, Mr. Neal said his services with Fair were continuous from the time of his father's death and until his death, that he attended to all Fair's business.

Joseph Harvey, concealing his claim in the estate, said he had known Charles L. Fair ultimately for twenty years and that "hundreds of times" he loaned Fair money. They kept a running account, upon which Fair paid at times, but at his death he still owed for three loans aggregating \$50,000, nine for \$40,000 in December, 1901, and nine for \$20,000 in February, 1902, and a third for \$20,000 in April, 1902. The business for certain assets in connection with the estate, Harvey said, went away to Eugene Harvey said, Fair assumed up his debt and

CAPTAIN SYMMONDS' CLAIM.

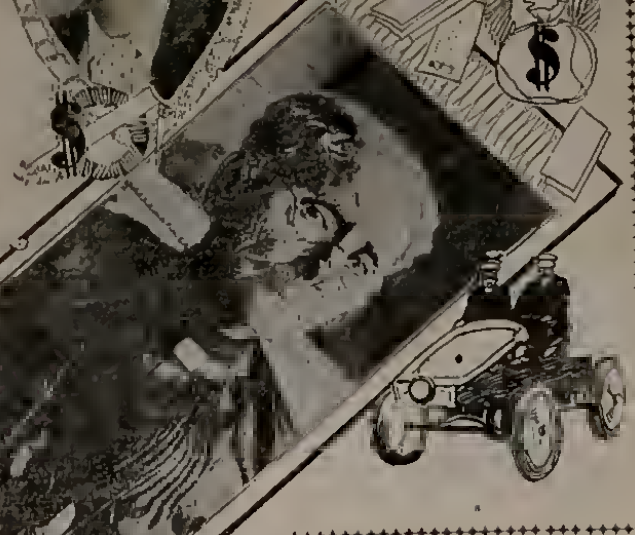
Captain John F. Seymour testified as fol-

Mr. Lloyd Q. You know Charles L. Fair
for a number of years? A. Yes, sir.
Q. Now, you had some arrangements with
him—now, was the Chief of the Bureau of this

Q He got remembrance of an arrangement with him in relation to looking after business in connection with fraudulent claims—for false claims made against his father's estate, which

Q You rendered in him a long string of services in that respect? A. Yes, sir, from start to finish.

In March Q And in recognition of that, what did Mr. E do at or to you when the column was placed? A When the estate was closed--I don't know before the matter was closed officially--I met him several times with Mr. Fair and Mr. Griffith in conversation with Mr. Fair and that I should leave the employees' fund as I wanted to leave the other part of the estate and go with the Fair family, and that I was to get \$20,000 and my three years' employment and that they were going to give me \$25,000; that he had paid me \$25,000 independent of that. And just a day or two before he went away he sent for me and said,



MISS NELSON.

"About that \$25,000, I will give you that as soon as I return from Europe. I have paid out a great deal of money just at this time," he said, "It is just as well I will give it to you when I come back!" and I said, "That is satisfactory to me," and he said, "You are with the estate anyway," and I said, "That is perfectly satisfactory."

Q And when he came back he was to give you no agreement in relation to ten years? A Yes, sir.

Q So you made this claim for \$25,000? A

Q That has never been paid and is still due and owing? A. Yes, sir. Mr. Fair told Mr. Henkle the same as I state here, that he had a check on the bank for that amount of money.

Mr. Lloyd—Q. To Mr. Oelrichs, You are aware of their facts, Mr. Oelrichs? A. Yes, sir.

Q And that is the reason you allowed these claims as just claims against the estate? A, Yes, Mr. I had many conversations on these subjects with Mr Fair—we were together every day, every morning, in the temporary office, and these matters were discussed again and again by Mr Fair and myself.

Charles J. Heggerty, in discussing the deposition of Mrs. Hanna E. Nelson, the mother of the late Mrs. Charles L. Felt, that undue influence had been brought to bear in getting her to quit all claims to her daughter's estate for the sum of \$150,000, it stated that the whole case "is matter of infamous lies."

Mr. Huggerty recently returned from the East, where he was called at the request of Mrs. Hermann Orliebs and Mrs. William K. Vanderbilt Jr., to be present at Caldwell, N. J., when Mrs. Nelson made her deposition.

"Mrs. Nelson contradicts herself in her deposition," the attorney said yesterday afternoon. "She says now that when she left San Francisco she was thoroughly satisfied with the settlement. Upon her ar-

lived with the regiment. Upon her arrival at her home at Caldwell, N. J., she was besieged by a horde of attorneys, as she styles them. The attorneys who wanted to secure her as a client were so numerous that she said the only way she could avoid them was by taking the exclusion of her own

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ALL EXHIBENTS ALLOWED.

and requiring the payment of the Native
Neal and Seymour claims.

Nov 19
1903

POSTAL OFFICIALS SCORED BY ATTORNEY



Says Inspector Wayland Conducted the Case Against Erwin—Accused Recalled.

Denies Having Known That Department Could Buy Supplies Only After Advertising for Bids Except in Emergency.

THE sensational incidents of the hearing of the case of James W. Erwin before Commissioner Besock yesterday were the testimony of Erwin that letters received by him from Washington up to the time that Inspector Wayland, the agent of the prosecution, left there to come to this hearing were tampered with before going through the mails, and the grilling of the Government officials by Attorney Samuel Knight for the methods they have employed in seeking to obtain evidence against the accused man.

Erwin testified that he had recently received five letters from Washington. Three of them were mailed before Inspector Wayland left Washington, and each of them bore marks of having been opened. The San Francisco postmark on the back of at least one of the letters showed that it must have been opened before reaching San Francisco, that is, at Washington. Erwin said that he had been warned that his friends at Washington were afraid to write him because his mail was being opened before being forwarded from the office there. The two mailed after Wayland left Washington had not been tampered with. Erwin had received hundreds of letters from other places, but only those from Washington had been opened.

District Attorney Woodward objected to the line of questioning, and Attorney Knight exclaimed: "I want to show the audience with which this case has been conducted from Washington. I want to show that only the letters mailed at Washington were tampered with."

Erwin said that the mutilated letters had been submitted to Theodore Kyba, the handwriting expert.

"What, what has that got to do with this charge of conspiracy?"

"The fact is on the other that now," replied Knight. "It is the Government which is guilty of a foul conspiracy and of criminal practices in trying to convict this man."

SAYS WAYLAND CONDUCTED CASE.

In the argument before the matter was fully submitted to the commission, Knight said, "Erwin's testimony, in holding perhaps yourself, over the ground of what could have been done."

that they have found the third device serviceable in the residence as well as in the business districts.

STOCK GIVEN AS A REWARD.

James W. Erwin was recalled to the stand. He said that the report made to the directors of the company after he and Richardson returned from Washington was presented to him by Richardson, and that he at first declined to sign it because he had no knowledge of the matters to which Richardson had alluded without his assistance. He finally signed the report on Richardson's saying that the directors would like a report from both of them. Referring to the letter written to Maehen on February 19, 1903, in which Maehen is told that if he will expedite matters he will be appreciated, Erwin said that to the best of his recollection Richardson wrote the letter and he merely signed it. Erwin denied that he had shown any reserve when questioned by Inspectors Wayland and Blizoyr, and said that he gave them all the facts he had and then wrote out his statement for them. He said he withheld nothing. When asked by Woodward why he did not tell the inspectors that he suspected stock was being used at Washington a year or two years ago, he replied that the inspectors did not ask him what he suspected, but only what he knew, and that he told them he did not know the bribery to be in fact until Sunday, July 26, 1903, when Richardson told him that stock had been given to Maehen and Beaver. Erwin said that he had understood that the stock given him by the company had no relation to his visit to Washington, and was simply in reward him for work done in perfecting the invention. He denied having known that the law provided that the Postoffice Department could buy supplies only after advertising for bids, except in emergency cases. Woodward sought to show that a letter written by Erwin to an official, Hedgoc, at Washington, asking that the device be added to letter-boxes in Sacramento, in compliance with the request of Postmaster J. O. Coleman, was written after Erwin had begun to suspect something, and that the letter was an evidence of Erwin's complicity.

DECLARES THERE WAS FRAUD.

The District Attorney in his argument called attention to the broad purview of the charge of fraud, and said that circumstantial evidence must be accepted, because conspiracies are hatched in the dark. The Government had been defrauded in that the device sold to it for \$4 and over were not worth that much; because the device had been purchased without advertising for bids, because the Postal Service and Improvement Company had agreed to pay the freight and the cost of attaching the device to boxes and had not done so.

Attorney Knight said that an effort to convict the client in any way with the evidence had entirely failed, that Richardson, who had confessed that it was he who planned and carried

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(Continued from page 1.)

Following is the text of the judgment delivered by the chief justice. This is an action for specific performance of an agreement for the sale of land evidenced by the following receipt.

"Vancouver, June 28, 1902.

"Received from James Borland the sum of ten dollars, being a deposit on the purchase of Lots 1 and 18, Block No. 10, District Lot 196, purchase price twenty thousand dollars (\$20,000.00) the balance to be paid within 10th July, which I agree to give the said James Borland a deed in fee simple, free from all encumbrances.

"JOS. COOTE,

"N. W. corner Hastings and Westminster avenue."

It is contended by Mr. Wilson for the defence, that this is not sufficient to satisfy the statute; first, because there is a discrepancy between the description of the parcel sold, the proper land registry description corresponding to "N. W. corner Westminster avenue and Hastings," being Lots 1 and 18, Block 10, etc., whereas the body of the receipt calls for Lots 1 and 18, Block 10, etc.; secondly, that the defendant's signature was not intended to authenticate the description below his signature, the same having been written on the document after he had signed it, without his knowledge or authority; and thirdly, because the plaintiffs cannot get specific performance of an agreement which they seek to rectify.

At the trial it was proved by the evidence of Borland and Dawson, both credible witnesses, that Borland ac-

quainted with Coote on behalf of Dawson for the purchase of Coote's property on the northwest corner of Westminster avenue and Hastings street, Vancouver, that they agreed on the sum of \$20,000, that Coote gave Borland a list of the tenants and rentals, which furnished evidence in inquiry, that in the afternoon of Saturday, June 28, 1902, Dawson, in the presence of Borland, drew up the receipt in question, leaving the description blank for Coote to fill in, as he did not know the land registry description, but adding the description below Coote's signature, that Borland took it in that condition to Coote; that Coote signed a receipt in the blank, and was paid \$10 on account, and that Borland gave the signed receipt to Dawson on the same day. On the Monday following Coote repudiated the bargain but said nothing to indicate that he understood that some other property was the subject of the sale, and it was not until the eighth of July when he was formally tendered the consideration money and the deed for signature that he pretended it was the northwest corner, and not the northwest corner, that he was selling. As to all this I am not only satisfied that Coote frequently committed perjury in giving his evidence, and especially so when he swore that the words below his signature were not there before he signed, but that he had also fraudulently attempted to foist off on the plaintiff a property which was not in the contemplation of the parties, and which he did not own, and which, for anything he knew, he could not have obtained.

Now, whether he marked the wrong description in the blank by fraud or mistake is immaterial. If by fraud, then he cannot be allowed to set up his own wrong, and thereby take advantage of the statute, especially as he has not, to use the words of Mr. Justice, L. J., put his scandalous claim clearly forward. If by mistake, it is well settled that parol evidence may be given to show what property the parties were bargaining about, and the wrong description will not be rejected, see e. g., *Utchins vs. Scott, 2 M. & W., 804, Cawen vs. Truett, Ld., (1899), 2 Ch. 399*, unless the evidence shows that the parties were also negotiating about another property, to which one of such descriptions could apply. Here the defendant did not own the property to which the description inserted by him applies, and he made no mistake as to what he was selling, but only, if at all, in filling in the description.

It cannot be doubted that if the blank had not been filled in at all the receipt would have been a perfectly good memorandum to satisfy the statute as the description "N. W. corner, etc." is sufficient to let in evidence to identify the property. *Ogilvie vs. Fyfe, 3 Mer. 53, Sharplew vs. Cotterell (1881) 20, C. D. 301; Plant vs. Bourne, 66, L. J. Ch.*



Oct - 31 -

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Denies Having Known That Department Could Buy Supplies Only After Advertising for Bids Except in Emergency.

THE sensational incidents of the hearing of the case of James W. Erwin before Commissioner Hancock yesterday were the testimony of Erwin that letters received by him from Washington up to the time that Inspector Wayland, the agent of the prosecution, left there to come to this hearing were tampered with before going through the mails, and the grilling of the Government officials by Attorney Samuel Knight for the methods they have employed in seeking to obtain evidence against the accused man.

Erwin testified that he had recently received five letters from Washington. Three of them were mailed before Inspector Wayland left Washington, and each of them bore marks of having been opened. The San Francisco postmark on the back of at least one of the letters showed that it must have been opened before reaching San Francisco, that is, at Washington. Erwin said that he had been warned that his friends at Washington were afraid to write him because his mail was being opened before being forwarded from the office there. The two mailed after Wayland left Washington had not been tampered with. Erwin had received hundreds of letters from other places, but only those from Washington had been opened.

District Attorney Woodworth objected to the line of questioning, and Attorney Knight exclaimed: "I want to show the audience with which this case has been conducted from Washington, I want to show that only the letters mailed at Washington were tampered with."

Erwin said that the mutilated letters had been submitted to Theodore Kytko, the handwriting expert.

"Well, what has that got to do with this charge of conspiracy?"

"The bond is on the other foot now," retorted Knight. "It is the Government which is guilty of a foul conspiracy and of criminal practices in trying to convict this man."

SAYS WAYLAND CONDUCTED CASE.

In his argument before the matter was finally submitted to the Commissioner, Knight said: "Erwin's friends, including perhaps yourself, were ignorant of what could have induced the grand jury to indict this defendant. All supposed that the indictment was based on testimony of D. S. Richardson, who went with Erwin to Washington, and who knows him well, the man who engineered the sale of the spleen to the Government and conducted the negotiations. But that was not correct. It was not Richardson, but it was Wayland, who conducted the case, and who whispered to the grand jury to indict Erwin because he was a friend of Mochen. To dump down Erwin would rebound all the more to the greatest would-be evildoer, Wayland, the former lawyer, who had been a member of the 'Boards' of the Chamber of Commerce. If Inspector Erwin had been charged with such a case against Wayland, and had gone before a grand jury with such evidence, and had argued in such a manner, Erwin would have been thrown down as the most despicable of men."

At the conclusion of the argument Commissioner Hancock said that he would get through the evidence as quickly as possible but that his intention was to get in every word, and that he could not say just when he will be able to render his decision.

Mr. R. L. Laker, Mr. W. E. Palmer, Mr. E. G. Fisher and J. J. Timmon were all upon the stand to testify

that they have found the time device serviceable in the residence as well as in the business districts.

STOCK GIVEN AS A REWARD.

James W. Erwin was recalled to the stand. He said that the report made to the directors of the company after he and Richardson returned from Washington was presented to him by Richardson, and that he at first declined to sign it because he had no knowledge of the matters in which Richardson had assisted without his assistance. Erwin finally signed the report on Richardson's saying that the directors would like a report from both of them. Referring to the letter written to Mochen on February 19, 1900, in which Mochen is told that if he will expedite matters it will be appreciated, Erwin said that to the best of his recollection Richardson wrote the letter and he merely signed it. Erwin denied that he had shown any reserve when questioned by Inspectors Wayland and Birdseye, and said that he gave them all the facts he had and then wrote out his statement for them. He said he withheld nothing. When asked by Woodworth why he did not tell the inspectors that he suspected stock was being used at Washington a year or two years ago, he replied that the inspectors did not ask him what he suspected, but only what he knew, and that he told them he did not know the bribery to be a fact until Sunday, July 20, 1903, when Richardson told him that stock had been given to Mochen and Beavers. Erwin said that he had understood that the stock given him by the company had no relation to his visit to Washington, and was simply to reward him for work done in perfecting the invention. He denied having known that the law provided that the Postoffice Department could buy supplies only after advertising for bids, except in emergency cases. Woodworth sought to show that a letter written by Erwin to an official, Hedges, at Washington, asking that the devices be affixed to letter-boxes in Sacramento, in compliance with the request of Postmaster J. O. Coleman, was written after Erwin had begun to suspect something, and that the letter was an evidence of Erwin's complicity.

DECLARES THERE WAS FRAUD.

The District Attorney in his argument called attention to the broad purview of the charge of fraud, and said that circumstantial evidence must be accepted, because conspiracies are hatched in the dark. The Government had been deceived in that the devices sold to it for \$4 and over were not worth that much, because the devices had been purchased without advertising for bids, because the Postal Device and Improvement Company had agreed to pay the freight and the cost of attaching the device to boxes and had not come to.

Attorney Knight said that an effort to connect his client in any way with the scandal had entirely failed, that Richardson, who had confessed that it was he who planned and carried out the bribery, had declared on the witness stand that Erwin had no knowledge of it and no participation in it. Knight said that all the evidence held at Washington had been put in here, so that the Commissioner could judge fully as to Erwin's guilt or innocence. He asked his client's explanation and discharge. The decision may come within a week.

Hughes and others are agreed that Richardson has been provided his money in consideration of his full confession, which attacks the indictments against Mochen and Beavers. It is thought that no steps will be taken to punish him, but it is not believed that he will long retain his position in the Postoffice, where he is now known as general superintendent, though upon the record is cashier and drawing a salary of the same amount as the cashiers.

(Continued from page 1.)

Following is the text of the judgment delivered by the chief justice. This is an action for specific performance of an agreement for the sale of land evidenced by the following receipt:

"Vancouver, June 28, 1903.

"Received from James Burland the sum of ten dollars, being a deposit on the purchase of Lots 1 and 18, Block No. 10, District Lot 196, purchase price twenty thousand dollars (\$20,000.00) the balance to be paid within 10th July, which I agree to give the said James Burland a deed in fee simple, free from all encumbrances.

"JOS. COOTE,

"N. W. corner Hastings and Westminster avenue."

It is contended by Mr. Wilson for the defence, that this is not sufficient to satisfy the statute; first, because there is a discrepancy between the description of the parcel sold, the proper land registry description corresponding to "N. W. corner Westminster avenue and Hastings," being Lots 1 and 18, Block 10, etc., whereas the body of the receipt calls for Lots 1 and 18, Block 10, etc.; secondly, that the defendant's signature was not intended to authenticate the description below his signature, and thirdly, because the plaintiff cannot get specific performance of an agreement which they seek to rectify.

At the trial it was proved by the evidence of Burland and Dawson, both credible witnesses, that Burland ne-

ver in question, leaving the description blank for Coote to fill in, as he did not know the land registry description, but adding the inscription below Coote's signature, that Burland took it in that condition to Coote, that Coote signed it, being in the blank, and was paid \$10 on account, and that Burland gave the signed receipt to Dawson on the same day. On the Monday following Coote repudiated the bargain but said nothing to indicate that he understood that some other property was the subject of the sale, and it was not until the eighth of July when he was formally tendered the consideration money and the deed in signature that he pretended it was the northeast corner, and not the north west corner, that he was selling. As to all this I am not only satisfied that Coote frequently committed perjury in giving his evidence, and especially so when he swore that the words below his signature were not there before he signed, but that he had also fraudulently attempted to foist off on the plaintiff a property which was not in the contemplation of the parties, and which he did not own, and which, for anything he knew, he could not have obtained. Now, whether he marked the wrong description in the blank by fraud or mistake is immaterial if by fraud, then he cannot be allowed to set up his own wrong, and thereby take advantage of the statute, especially as he has not, to use the words of Mr. James, L. J., put his scandalous case clearly forward. If by mistake, it is well settled that parol evidence may be given to show what property the parties were bargaining about, and the wrong description will not be rejected, see e. g., *Hutchins vs. Scott*, 2 M. & W. 809, *Cowen vs. Truett*, Ld. (1899), 2 Ch. 309, unless the evidence shows that the parties were also negotiating about another property, to which one of such descriptions could apply. Here the defendant did not own the property to which the description inserted by him applies, and he made no mistake as to what he was selling, but only, if at all, in filling in the description.

It cannot be doubted that if the blank had not been filled in at all the receipt would have been a perfectly good memorandum to satisfy the statute as the description "N. W. corner, etc." is sufficient to let in evidence to identify the property; *Ogilvie vs. Foljambe*, 3 Mer 53, *Sharlow vs. Carterell* (1881) 20, C. D., *Plant vs. Bourne*, 66, L. A. Cb.

CHIEF POINT OF INTEREST IN PERJURY CASE AGAINST COOTE

Whole Action Hinged on Whether or Not Part of One Letter Was Made Over Part of Another.

Vancouver, June 28th, 1902
Received from James Borland the Sum of ten dollars, being a deposit on the purchase of Lots No 2 & 10 Block No 10 District Lot 146, purchase price twenty thousand dollars (\$20,000), the balance to be paid within 10 days when I agree to give the said James Borland a deed in fee simple free from all encumbrances
Jos Coote
W. W. Cor Hastings & Washburn

FAC SIMILE OF RECEIPT IN COOTE CASE.

By reference to the fac simile of the receipt, which was the chief point of interest in the Coote case, it will be seen on what a seeming trifle the whole action hinged. The first proceeding was to have the sale made for the northwest corner of Hastings street and Westminster avenue. It was brought up in the civil assizes, and was heard by Chief Justice Hunter. As will be seen in his judgment below, which was delivered sealed, with orders that it be opened after the verdict was rendered in the perjury case. He came to the conclusion that the sale was made of the northwest corner, and that Coote made it northeast. Chief Justice Hunter caus-

ed the charge of perjury to be laid, and the point was whether Coote's name was affixed before the bottom line, "W. W. Cor. Hastings and West. Ave."

It will be noticed the name is signed apparently lightly, but this was said to have been done with a hard pencil. The evidence of Kytko, the handwriting expert from San Francisco, settled the matter in the minds of the jurors. He went exhaustively into the matter, and after explanations and photographs, showed under a powerful microscope that the "C" in Hastings was made after the signature was affixed, the contention of the prosecution being that the whole receipt was writ-

ten with the blank for the name. It was claimed by the defence that the microscope showed that the graphitic of the soft pencil was still visible over the "C" in Jos., and this the jury evidently believed, for the prisoner was acquitted. Mr. Kytko gives praise to Mr. Joseph Martin, who handled the case for Mr. Coote, for very able cross-examination, and a masterful presentation.

Messrs. Wilson, Senkler & Bloomfield, counsel for Mr. Coote in the civil case, will appeal from the judgment of Chief Justice Hunter.

(Continued on page 4.)

643, and it was authenticated by the signature; Ogilvie vs. Foljancic, supra; Caton vs. Caton, L. R., 2 H. L. 121. That being so, the filing in of the erroneous description cannot affect the matter, as Coote was only authorized by the words below his signature to insert the proper land registry description corresponding to these words.

It only remains to dispose of the other objection that specific performance is not granted when the plaintiff is also seeking to rectify. The rule does not apply to the case where, as here, the parties were ad idem, but the defendant either by chance or mistake puts a wrong description into a writing which already contained a right description. But the truth is that the plaintiff does not need the document rectified, he relies on the memorandum which contained a true description, and the particulars necessary to satisfy the statute at the time when the defendant signed, and cannot be defeated by the defendant having inserted the false description. It must order specific performance with costs.

G. HUNTER, C. J.

Call

DECEMBER 20, 1903.

MOTHER-IN-LAW IS AFTER SMITH

Once Again Mrs. Chamberlain Asks Court to Urge Really Agent to Use More Speed

WANTS HER ALLOWANCE

Seeks Citation Directing His Appearance to Explain His Failure to File Account

Judging by the document filed yesterday by Ella J. Chamberlain the truce that was declared a few months ago in the legal battle between her and her son-in-law, Buller Smith, the well-known real estate man, was but a temporary relaxation of hostilities. The fight is now on again, and as before Mrs. Chamberlain has fired the first shot. She petitioned the court yesterday for a citation directing Smith to appear and explain why he has not rendered an accounting of the \$100,000 estate of his late wife, Ella Roberta Smith, and why he has not paid to Mrs. Chamberlain the sum of \$125 a month bequeathed to her in her daughter's will.

The fight between Mrs. Chamberlain and Smith began during the lifetime of Mrs. Smith. When she died last February Mrs. Chamberlain hailed her son-in-law before the Probate Court on an order directing him to explain why he did not file his wife's will. The will, which is a holographic document, drawn up a short time before Mrs. Smith's death, gave to Smith all of her large estate and directed him to pay to Mrs. Chamberlain during the rest of her life the sum of \$125 a month. Smith finally produced the will and offered it for probate. After a lapse of several days Mrs. Chamberlain petitioned for appointment as administratrix, claiming that her son-in-law did not exercise sufficient haste in taking up the control of the estate to suit her. This evidently stirred Smith up, for he immediately filed a counter petition. Before the rival petitions came up for hearing that of Mrs. Chamberlain was dismissed and the coveted appointment went to the real estate man. This was last September, and since then yesterday's appearance of Mrs. Smith is the only move she has made in the matter. This, like all the other moves by her in the matter, is prompted by the alleged dilatory methods of Smith.

LANDLORD RAISES RENT OF FLAT AND WARNINGS APPEAR ON WALL

Has Former Woman Tenant Arrested on a Charge of Writing Offensive Legends and Police Judge Fritz Will Employ Chirographic Experts in Case

If the handwriting on the wall in an empty upper flat numbered 60 Water street can be positively identified as that of Mrs. William Welssgerber, who recently occupied the premises, that lady is likely to be punished for malicious mischief. She was before Police Judge Fritz yesterday morning on complaint of V. Simi, an Italian, who owns the flat in question and dwells in the one underneath it, and the burden of his grievance was that she, in retaliation for having her rent raised by him, pencilled libelous legends on the interior walls and then moved out. Among the inscriptions alleged by Signor Simi were:

"This is a cold house."
"Beware of rats and mice and the dago downstairs."

"Don't rent this house. The dago will drive you to the booby hatch."

"This is a bum joint."
"The house is full of rats and mice and garlic and dagoes."

All of which, Signor Simi averred, were written with intent to damage him pecuniarily by scaring away persons who might inspect the flat with a view to renting it if it should be found suitable.

Mrs. Welssgerber denied the imputation, but did candidly acknowledge a feeling of aversion to Signor Simi because he had suddenly "raised her out." When the complainant was asked to prove that the offending sentiments were written by the hand of Mrs. Welssgerber, he confessed inability to do so by producing samples of the lady's chirography. Then the Judge decided to continue the case until he could visit the flat, examine the defaced walls and by comparison of the pencilled warnings with specimens of Mrs. Welssgerber's penmanship ascertain beyond a shadow of reasonable doubt whether she did or did not commit the defilement.

In this delicate task the court will be aided by Expert Kytko,

while he substituted threats for appeals. He was held for further investigation.

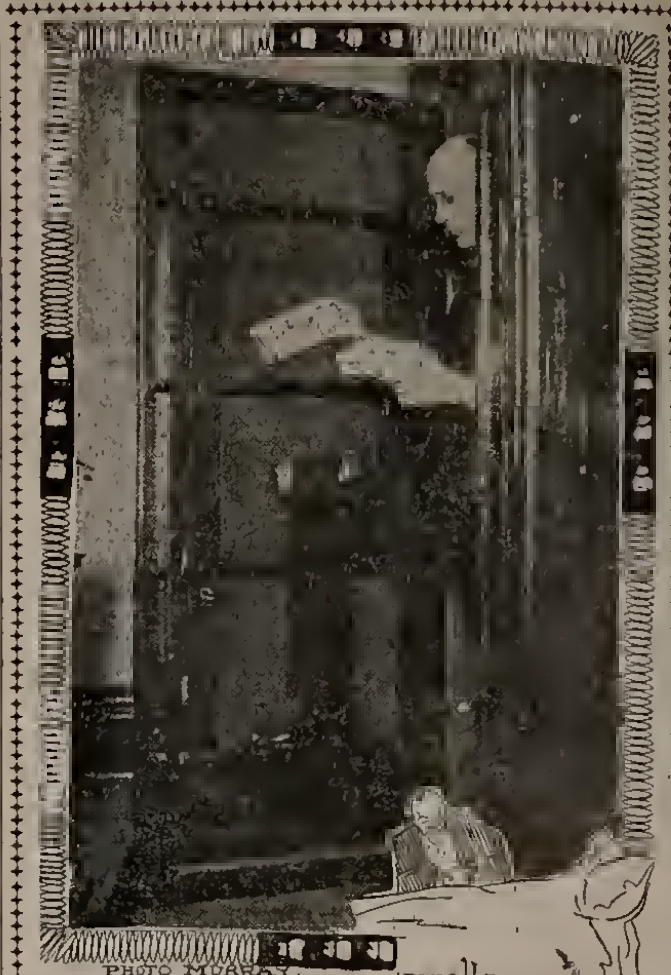
Mary Neustader, a dashing young woman, who informed the court that she resides on Bush street and has no settled occupation, went a-stumping in the vicinity of Fourth and Polson streets with several casual male acquaintances night before last, and after the party had visited five saloons and partaken freely of liquid refreshment, Miss Neustader was in such a hilarious condition that a policeman considered her arrest essential to the preservation of peace. She was in a penitent mood as she faced Judge Mogan yesterday morning, and said that she did not know the name of a single one roistering "gentlemen friends" never seen any of them until her on Sutter street and convinced her to accompany them.

As it was the woman's first offence in a San Francisco court, the Judge dismissed her, of caution as to how she "gents" who meet sir the streets and invite a-stumping.

Miss Grace Vaughn, nine months old in stature, ran into a Gallery Wednesday provoking a riot by the targets recited in the heinous youth, to all whom Mogan's Christian. Miss Vaughn cause aimed in the state. ger the tal he

Botkin Exhibits Found Intact in Rusty City Hall Safe by the Officials

Poisoned Candy Is Remarkably Well-Preserved as Are All the Other Articles.



PICTURE SHOWS OSCAR TOLLE LOOKING AT THE EXHIBITS IN THE BOTKIN CASE.

ALL exhibits in the Botkin case are safely stored in the City Hall, exactly to the place where Oscar A. Tolle, the former clerk of Judge Carroll Cook's department of the Superior Court, placed them five years ago. By direction of Judge Cook the vault was opened yesterday by Mr. Tolle in the presence of two witnesses. The exhibits were found intact and ready to be used whenever the case is brought to trial. The instructions made by the attorneys for Mrs. Botkin, when a number of papers found in the basement of former Chief of Police Lees' home were carried to court in the belief that they were the original exhibits, alarmed both the District Attorney and the police. A casual examination by Judge Cook satisfied him that they were duplicates used by the ex-Chief in preparing the case for the prosecution, but as the exhibits had not been seen for many years it was decided that an inspection of them would be advisable in view of the fact that trial is about to begin.

The vault in which they have been stored stands in the corner of room 231 in the main corridor of the City Hall, at present used as a lecture room by the Hastings Law School, but which was formerly Judge Cook's courtroom. No one but Mr. Tolle has had the combination of the vault, and although he severed his connection with the County Clerk's office some years ago he has still retained the custody of the exhibits. A few months ago a demand was made upon him by County Clerk Mahony for the exhibits, but he regarded this as much a personal charge as an official one, he declined to accede to Mr. Mahony's request without order direct from Judge Cook. The order was never made and the exhibits still remain in his custody.

BOLTS OF SAFE RUSTED.

It was with some difficulty that the rusted bolts were thrown back from their sockets when the attempt was made to open the outer door. Less difficulty was found in opening the inner door, but when it finally gave way from within emanated a dank, musty, suffocating odor. After the vault had been aired Mr. Tolle entered. On a shelf to the left, lying between the coils of rope from which A. O. Withers stole the gold from the City treasury and a mass of exhibits used in the Durran trial, the box of poisoned candy was found. It was in a remarkably well-preserved state. The postcard box in which the candy was inclosed showed slight discoloration, but the bonbon box containing the poisoned sweets showed no signs of deterioration. The chocolate creams were also in a fair state of preservation. It was as easy to detect the opening made in each candy as it was at the time the exhibit was shown to the jury. The wrapper in which the box was mailed to Mrs. Dunlop, addressed in the handwriting of Mrs. Botkin, and the exemplars of her handwriting used for comparison, were also well preserved. Mr. Tolle had taken the precaution to inclose these writings in an air-tight tin box to prevent them from fading. The bulky note which accompanied the deadly morsels, the handwritten which was sent to Edward Mrs. Manning, the exhibit of tests made by Chemist Walt to find the arsenic, and the telltale seal found in Mrs. Holkin's room at the Alameda Hotel were there safely preserved.

SIGNATURE IS STILL IN DOUBT

Maude Lawrence, Charged With Forgery, Has Rather Best of the Hearing in Police Court.

Maude Lawrence, the young woman who took automobile rides with J. W. Layman, the San Francisco and Oakland real estate dealer, and was placed in prison because he denied having signed several checks which she cashed at the Columbian Banking Company of this city, had rather the best of it at the hearing of the charge of forgery against her before Police Judge Gibbons yesterday.

Paul Mertz, the paying teller of the bank, was called to testify regarding the signatures on the checks, and admitted that one or more had been paid before Layman repudiated the signatures and would not sign positively that they were not genuine. He admitted that the president and cashier of the bank had grave doubts as to their being forgeries.

The next witness called was Layman, who denied that the signatures were his, although he could not explain why they were not. He said that he never gave the woman but one check, and that was for \$10 several weeks ago. He did not think it was possible that he could have signed them while under the influence of liquor, as the defendant claims, though he admitted having been with her frequently, including an automobile trip to the Cliff House, when she drove freely.

The hearing was continued until Thursday afternoon, when the defendant will testify in her own behalf.

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Chemist Wolf to find the arsenic, and the
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The only exhibits not in Mr. Tolle's cus-
tody are the visiting book of Dr. Terrill and
the Owl drug store poison register show-
ing the purchase of arsenic made by Mrs.
Botkin on June 1, 1895. These exhibits
were returned by order of Judge Cook, and
Mr. Tolle has a receipt for them.

EXHIBITS IN GOOD CONDITION.
"I never doubted for a moment," said
Mr. Tolle, "that the exhibits were entirely
safe. I am glad, however, that the vault
has been opened and all doubt upon the sub-
ject put at rest. When Judge Cook changed
his courtroom from the City Hall to the
Hall of Justice the exhibits were locked
in the vault. I have never had occasion to
open it since."

"I am the only one who has had the com-
bination and believe that it would have been
quite impossible for any one else to have
opened the vault unless they resorted to
saw-cracking methods. The condition in
which I found the exhibits satisfies me that
they will be quite as effective at the second
trial as they were at the first. The con-

dition of the poisoned candy is surprising,
considering the number of years that have
elapsed, but that may be attributed to the
fact that the vault is almost airtight."

After the inspection had been made the
personal seal of Mr. Tolle was placed upon
the inner door, making it impossible for any
one to enter without leaving some trace of
trespass. He will still remain the cus-
todian of the exhibits until the case is called
on February 15th, when he will be asked to
identify them and present them to the jury.
By a strange coincidence Mr. Tolle, since
leaving the Superior Court, has been ele-
vated to the position of chief deputy clerk
of the Supreme Court, and as such is the
custodian of the photographs of the ex-
hibits submitted on appeal. In connection
with his testimony to the second trial he
may be called upon to use these photo-
graphs.

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ago. He did not think it was possible
that he could have signed them with-
out the influence of liquor, as the
defendant claims, though he admitted
having been with her frequently, in-
cluding an automobile trip to the Cliff
House, when wine flowed freely.

The hearing was continued until
Thursday afternoon, when the de-
fendant will testify in her own behalf.

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1903

WOMAN CHARGED WITH FORGERY

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PRIEST SUES HIS PHYSICIAN

Father Grey Seeks to Recover
Money Which He Alleges He
Intrusted to Dr. Brennan.

THE AGED CLERGYMAN
AN INVALID FOR YEARS

Was Long Under the Control of
Defendant, but Is Now Sep-
arated From Him and Is In-
mate of St. Joseph's Hospital

Rev. P. J. Grey, former pastor of St. Patrick's Church, sued his physician, Dr. Thomas F. Brennan, in the Superior Court yesterday for \$10,000, which he alleges he intrusted to Dr. Brennan for safe-keeping. Several attempts have been made in the last few days by Father Grey's representatives to find Dr. Brennan, in order to get an explanation and accounting from him, but they have not been able to ascertain his whereabouts. Last week Father Grey, who has been ill for several years, was removed by a friend from the house where Dr. Brennan had placed him, and was taken to St. Joseph's Hospital, where he now is. He supposed that the money which he had given in trust to Dr. Brennan was in the Hibernia Bank at that time, but when inquiries on his behalf were made at the bank on last Monday, it was learned that all of the deposit had been drawn out by Dr. Brennan three years ago.

In his complaint Father Grey avers that during the three years last past he was the owner of \$40,000 in gold coin, which was on deposit in the Hibernia Bank that he was sick and feeble, and that having great confidence in the friendship, business ability and personal integrity of Dr. Brennan, he placed the money in the doctor's possession and safe-keeping, with the understanding and agreement that Brennan would safely keep the same for him and restore the money to him when requested. The relation between them, he says, was that of physician and patient, and because of this confidential relationship he intrusted the \$40,000 to Brennan. The complaint states that a demand for the money was made on Brennan last Monday.

DREW ALL THE MONEY.

Father Grey was in charge of St. Patrick's parish for about forty years. After his retirement he and Archbishop Riordan had some litigation over his deposit in the Hibernia Bank and other money matters. This litigation was settled in 1901, and Father Grey retained the bank deposit. It appears that as soon as the settlement was made Dr. Brennan drew out of the bank the amount which remained there, over \$35,000. The rest of the deposit, over \$5000, had been previously taken out to pay Father Grey's expenses.

For four years or more Brennan has had charge of Father Grey, and has moved with him to many places in this city, San Jose and Alameda. For several months he and Father Grey occupied a flat on Steiner street, and about a month ago moved to rooms at 2320 California street. Father Grey was taken from the house on California street while Dr. Brennan was absent. It is said that the aged priest sent word to friends that he wished to be removed, and did not want to remain any longer under Dr. Brennan's control. On account of Dr. Brennan's frequent changes of residence Father Grey's friends had difficulty at times in discovering where he was staying. As Father Grey's health was very poor and he had lost his sight, these friends were concerned about him. The money which he turned over to Dr. Brennan constituted his entire property. It is stated, and unless he recovers at least a part of it he will be dependent on the kindness of others.

Mr. C. Russell is Father Grey's attorney in the suit. He said yesterday when questioned that there was much to be told about Dr. Brennan's actions toward Father Grey, but he preferred to let Dr. Brennan have a chance to explain before making public what he knew.



Miss Maud Lawrence, Who Is Under Arrest on a Charge of Forgery.

Miss Maud Lawrence Is Arrested on Complaint of Columbia Bank, Ac- cused of Passing Spurious Checks.

MAUD LAWRENCE, a fashionably dressed and handsome young woman, who was for a number of years known in the festive set in Oakland as "Miss Scott," was held at the City Prison last night on a charge of forgery, preferred by President James H. Sully of the Columbia Banking Company. The spurious allegation is the uttering of a forged check bearing the signature of J. W. Layman, of a well-known real estate firm of San Francisco and Oakland, and calling for \$100. It is further asserted that two other checks bearing the same signature and cashed by Miss Lawrence, have been repudiated by Layman. Miss Lawrence asserts that all of the checks were given her by Layman himself, who, she declares is a friend of long standing. She adds that a portion of the sum covered by the checks was in return for money borrowed.

Miss Lawrence cashed two checks, one for \$50 and the other for \$10, at the bank shortly before Christmas, and on December 25th cashed another check for \$100. All these checks bore the signature of Layman and were promptly paid. The bank people state that they were repudiated by Layman. Yesterday about noon Miss Lawrence appeared with another check for \$100, also bearing Layman's name, and was called into the president's office and questioned. Shortly afterward she was placed under arrest at her room in the Bay State House, on Stockton street. She was held at the City Prison until late in the afternoon, when a warrant was sworn out by President Sully and she was booked on a charge of forgery. Bail was fixed at \$2000 bonds, or \$1500 cash. Late last evening bail was reduced to \$250.

WOMAN NOT WORRIED.

At the City Prison last night Miss Lawrence did not seem much worried. She said that she expected to be released in a short time and intimated that Layman himself would have a hand in her release. If her other friends did not succeed in finding bail, she claimed to have received the checks in good faith from Layman himself, and expressed herself as highly indignant at his repudiation of them.

J. W. Layman, better known as Walter Layman, is the proprietor of Howard Springs, Lake County, where he resides during the summer months. He was married in Alameda county some three years ago. Mrs. Layman says that she resided in Oakland much of the time for about three years, up to some three years ago when she went to New York. She returned from New York a few months ago.

DAUGHTER IN OAKLAND.

The young woman states that in Oakland as "Miss Scott," she lived at Durham's, where Layman frequented.

DAN SULLIVAN GETS A PAROLE

Sentenced to Six Years for
Forgery in Bond Clerk's
Office, He Serves but Two.

Daniel J. Sullivan, serving a sentence of six years in San Quentin Prison for forgery in the office of the bond and warrant clerk of this city, was paroled by the Board of Prison Directors yesterday. Sullivan has served but two years and a half of his sentence, and his parole comes as the result of a year of hard and persistent work by many political and other friends, who have brought every influence available to bear on the Prison Board.

Sullivan's case was the sensation of the Hall of Justice in 1901. He was employed without regular salary in the office of Bond and Warrant Clerk Charles S. Peery. Sullivan had the handling of bail money and helped on the books. His chief remuneration came from attorneys and persons in whom he made himself useful by expediting bail matters. Late in March, 1901, Sullivan unexpectedly left the city. It was found that he had forged the name of Police Judge Cabanis to an order for the return of bail money from the treasury. Sullivan had carried off \$300. He was brought back from Colfax, and whether or not he had been making an effort to get out of the country was never fully established. The evidence of the forging of Cabanis' name was pitiful, and when confronted with evidence that this was not his only act of the kind Sullivan confessed that he had forged the names of the Police Judges to many such orders. The city had suffered no pecuniary loss, as the money matters had ultimately been straightened out in each instance by Sullivan when delay was no longer possible.

The Grand Jury indicted Sullivan, the Police Judges hesitating to file charges against him. At his trial for forgery, only the Cabanis instance being held against him, Sullivan pleaded that he had been drunk to the verge of insanity at the time of the forging and that his only object in uttering the forged was to obtain \$250 to meet an immediate need. After a clever defense Sullivan was convicted. He was sentenced on August 24, 1901, by Superior Judge Lator to serve six years. The limit for the offense was fourteen years, and the Court was influenced in imposing punishment by the jury's recommendation to mercy.

When notice was served on District Attorney Byington last March that Sullivan would apply for parole, Byington stated that he would oppose to the last any such mitigation of the sentence. Sullivan, whose record had not been good in politics, had many friends, who did not forget him when he went to prison and to whose efforts is due his parole.

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Rev. P. J. Grey, former pastor of St. Patrick's church, and his physician, Dr. Thomas P. Brennan, in the Superior Court yesterday for \$40,000, which it is alleged he entrusted to Dr. Brennan for a safekeeping. Several attempts have been made in the last few days by Father Grey's representatives to find Dr. Brennan, in order to get an explanation and accounting from him, but they have not been able to ascertain his whereabouts. Last week Father Grey, who has been ill for several years, was removed by a friend from the house where Dr. Brennan had placed him, and was taken to St. Joseph's Hospital, where he now is. He supposed that the money which he had given in trust to Dr. Brennan was in the Hibbard Bank at that time, but when inquiries on his behalf were made at the bank on last Monday, it was learned that all of the deposit had been drawn out by Dr. Brennan three years ago.

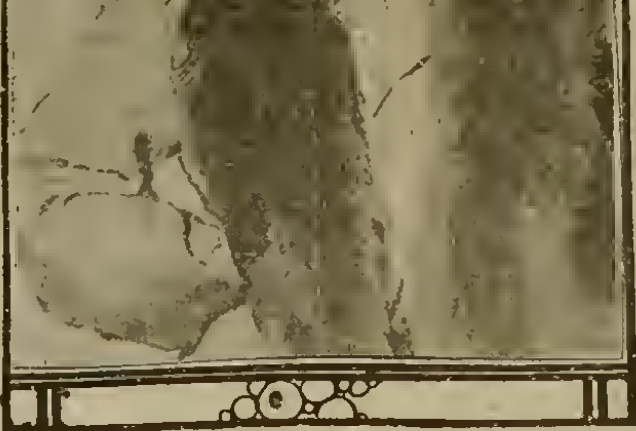
In his complaint Father Grey avers that during the three years last past he was the owner of \$40,000 in gold coin, which was on deposit in the Hibbard Bank; that he was sick and feeble, and that having great confidence in the friendship, business ability and personal integrity of Dr. Brennan, he placed the money in the doctor's possession and safekeeping, with the understanding and agreement that Brennan would safely keep the same for him and restore the money to him when requested. The relation between them, he says, was that of physician and patient, and because of this confidential relationship he entrusted the \$40,000 to Brennan. The complaint states that a demand for the money was made on Brennan last Monday.

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For four years or more Brennan has had charge of Father Grey, and has moved with him in many places. In this city, San Jose and Alameda. For several months he and Father Grey occupied a flat on Steiner street, and about a month ago moved to rooms at 2220 California street. Father Grey was taken from the house on California street while Dr. Brennan was absent. It is said that the aged priest sent word to friends that he wished to be removed, and did not want to remain any longer under Dr. Brennan's control. On account of Dr. Brennan's frequent changes of residence Father Grey's friends had difficulty at times in discovering where he was staying. As Father Grey's health was very poor and he had lost his sight, these friends were concerned about him. The money which he turned over to Dr. Brennan constituted his entire property, it is stated, and unless he recovers at least a part of it he will be dependent on the kindness of others.

M. P. Hassett is Father Grey's attorney in the suit. He said yesterday when questioned that there was much to be told about Dr. Brennan's actions toward Father Grey, but he preferred to let Dr. Brennan have a chance to explain before making public what he knew.



Miss Maud Lawrence, who is under arrest on a charge of forgery.

Miss Maud Lawrence Is Arrested on Complaint of Columbia Bank, Accused of Passing Spurious Checks.

MAUD LAWRENCE, a fashionably dressed and handsome young woman, who was for a number of years known in the festive set in Oakland as "Mrs. Scott," was held at the City Prison last night on a charge of forgery, preferred by President James H. Sull of the Columbia Banking Company. The specific allegation is the uttering of a forged check bearing the signature of J. W. Layman, at a well-known real estate firm of San Francisco and Oakland, and calling for \$100. It is further asserted that two other checks, bearing the same signature and cashed by Miss Lawrence, have been repudiated by Layman. Miss Lawrence asserts that all of the checks were given her by Layman himself, who, she declares, is a friend of long standing. She adds that a portion of the sum covered by the checks was in return for money borrowed.

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WIDMAN NOT WORRIED.

At the City Prison last night Miss Lawrence did not seem much worried. She said that she expected to be released in a short time, and intimated that Layman himself would have a hand in her release. It has been said that friends did not succeed in finding her. She claimed to have received the checks in good faith from Layman himself, and expressed herself as highly indignant at his repudiation of them.

J. W. Layman, better known as Walter Layman, is the proprietor of Howard Springs, Lake county, where he resides during the summer months. He was divorced in Alameda county some three years ago. Miss Lawrence says that she resided in Oakland much of the time for about five years, up to some three years ago when she went to New York. She returned from New York a few months ago.

LOVED IN OAKLAND.

The young woman states that in Oakland, as Mrs. Scott, she lived at Barnum's, where Layman frequently called on her. From there she went to the Piedmont Hotel, where she remained until it burned. Layman also visiting her there. After the fire she returned to Barnum's, from which place, she states, Layman sent her to the World's Fair at Chicago, joining her there later. After the fair she returned to Oakland and Barnum's. She also took a trip to China, she says, at Layman's expense. She asserts that he frequently gave her money, and that it was no new thing for her to receive checks from him.

The young woman says that since her return from the East she has lived at the Bay State House under the name of Lawrence, and that she has frequently seen Layman. She says that eight or nine days before Christmas he called for her at the Bay State House and in a box in the restaurant gave her a check for \$50. Later they went to the Queen and were joined there by a young woman named Goss, a member of the orchestra, and a man named McDon-

ald, with whom they went on an automobile ride, returning at 5 o'clock in the morning. Lawrence then gave him a second check, this time for \$100.

CONTRIVED THE CHECKS.

The \$100 check, according to the young woman, was received the night following Christmas, when Lawrence came to her room at the Bay State House and borrowed \$40 from her, giving her the check for \$100 in return. The latest check, she claims, was received by her yesterday morning, as the result of a telephone message she sent to Layman the day previous.

Miss Lawrence says that she was much taken aback when payment of the check was refused. She says that President Sull told her they were aware of her relations with Layman, that he had repudiated the last two checks given her, and wanted the bank to make them good, which it had refused to do. She told the bank people where she could be found and then went to Layman's office, but, finding him engaged, went to her room, where she found detective awaiting her trial.

Success available to bear on the Prison Board. Sullivan's case was the sensation of the Hall of Justice in 1901. He was employed without regular salary in the office of Bond and Warrant Clerk Charles S. Peery. Sullivan had the handling of bail money and helped on the books. His chief remuneration came from attorneys and persons to whom he made himself useful by expediting bail matters. Late in March, 1901, Sullivan unexpectedly left the city. It was found that he had forged the name of Police Judge Cabanis to an order for the return of bail money from the treasury. Sullivan had carried off \$200. He was brought back from Colfax, and whether or not he had been making an effort to get out of the country was never fully established. The evidence of the forging of Cabanis' name was patent, and when confronted with evidence that this was not his only act of the kind Sullivan confessed that he had forged the names of the Police Judges in many such orders. The city had suffered no pecuniary loss, as the money matters had ultimately been straightened out in each instance by Sullivan when delay was no longer possible.

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When notice was served on District Attorney Byington last March that Sullivan would apply for parole, Byington stated that he would oppose to the last any such mitigation of the sentence. Sullivan, whose record had not been good in politics, had many friends, who did not forget him when he went to prison and to whose efforts is due his parole.

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Jan 8-1904

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Call

JEAN LAPIQUE IS RELEASED

Read Law for Eight Years in Jail to Be in a Position to Conduct His Own Case.

Jean Lapique, a Frenchman who has spent the last eight years in the County Jail, was released from custody yesterday morning. Judge Cook of the Superior Court ordered the charge of insanity made against Lapique in December, 1895, dismissed on the motion of the District Attorney. All during the years of incarceration Lapique refused to employ legal counsel and attempted to act as his own attorney.

Lapique was known in the County Jail by his fellow prisoners as the "Hillman" and "Frenchman." For hours he would sit in his cell and study law from books furnished by the prison authorities. He always looked forward to the day when he could appear in court as his own attorney and persuade the members of the legal profession with his great knowledge of the law.

At last the day arrived for Lapique to realize his desire and after arranging a careful toilet in the County Jail he arrived at the Hall of Justice yesterday morning. On reaching the courtroom great was his disappointment when Assistant District Attorney Ashe rose and made a motion for the dismissal of the case and further stated that Lapique had been before the insanity commission some time ago but, although he was not sent to an asylum yet, it was admitted at that time that he was insane on the subject of litigation.

Judge Cook then said that he believed the man to be mentally unbalanced and in view of this fact he felt justified in ordering a dismissal of the case.

Prior to his arrest Lapique was a well known dealer in this city and was well known in the French colony. In 1895 he was accused of having appropriated \$400 belonging to a fellow countryman. The jury in the trial disagreed. At the second trial he was convicted and sentenced to eight years in the penitentiary. An appeal was taken in the Supreme Court and the case was dismissed from lack of evidence. A few months later he was again arrested on the same charge and the case traveled through several courts until dismissed by Judge Cook yesterday morning.

The officers of the County Jail tell many amusing stories regarding Lapique. When the order of discharge was turned over to the Sheriff the prisoner unfolded the document slowly and explained that he feared it was not drawn up in legal form. On leaving the jail he said that he was going out in the world to continue his law studies and that day would be known from our end of the country to the other as the most bizarre and distinguished member of the legal profession.

WOMAN LOSES JAUNTY STYLE



Mrs. Martha E. Bowers, on Trial on a Charge of Murdering Her Husband.

Mrs. Martha E. Bowers, Accused of Poisoning Her Husband, Becomes Serious During Selection of Jury.

MRS. MARTHA E. BOWERS, charged with the murder of her husband, Martin L. Bowers, lost her jaunty air as she sat in Judge Cook's courtroom yesterday watching the slow process of selecting a jury that is to decide her fate. She laughed as she stepped from the elevator and said: "I guess they are going to hang me," but after court adjourned she had no smiles nor ill-timed jests. The shadow which she saw was all too serious.

Mrs. Zylphia C. Sutton, her sister, who had been originally jointly charged with her, but who was freed by the decision of Police Judge Cabanis in the preliminary examination because the evidence did not incriminate her, was waiting in the courtroom, and sat with the defendant behind the latter's counsel. The jury-box was hard to fill, and when the day's session was over but nine jurors had been secured, and the venire was exhausted. A special venire will have to be drawn, and owing to the change in the force of the County Clerk in day further proceedings were continued until Monday that the trial might not be handicapped by the changes at the clerk's desk.

Bowers died several months ago after being treated at a hospital twice

and a further illness of several weeks at home. Nothing would have been heard of any criminal charge had not Harry Bowers, his brother, gone to the coroner's office on the night of his death and stated that Martin Bowers had been poisoned, suggesting that there was another man in the case, and that Mrs. Martha E. Bowers had administered the fatal poison.

Detective Ryan and Policeman Coleman were set at work and found that John Lervey had been a frequent visitor at the Bowers home while the husband was at work at Mare Island. That on one occasion the latter came home unexpectedly and, finding Lervey with his wife, drove him out of the house with a chair. The next morning Bowers was taken ill and never recovered. The stomach of the dead man was analyzed by the City Chemist, and found to contain arsenic. The detectives learned that Mrs. Sutton purchased this poison at a drug store on a forged prescription, and on these circumstances the prosecution bases its case.

Mrs. Sutton denies that she purchased the arsenic, but the drug clerk is equally positive that he sold it to her. The case against the accused is based entirely on circumstantial evidence, and her attorneys in examining candidates for the jury box dwell at length on the question of convicting a person of murder on such evidence.

JURORS STUDY THE SIGNATURE

Important Testimony Given by the Handwriting Experts at Trial of Mrs. Martha Bowers

SUPPLY MANY EXEMPLARS

Declare That Name Upon Prescription, "McLaughlin, M. D.," Was Defendant's Work

Several hours were taken up yesterday by the jury at the trial of Mrs. Martha E. Bowers, charged with the murder of her husband, Martin L. Bowers, in examining exemplars of the handwriting of the defendant made by Experts Theodore Kyika and Carl Eisenchimmel to prove that she wrote the name "McLaughlin, M. D.," to the prescription calling for arsenic which it is alleged the defendant's sister, Mrs. Zylphia C. Sutton, presented and got filled at the drug store on Fifth and Folsom streets.

Expert Kyika was the first to testify, and he swore positively that the signature "McLaughlin, M. D.," was made by the defendant. Eisenchimmel also testified to the same effect, but in cross-examination by Attorney Frank B. Drury he said there had been no attempt to forge the name of Dr. McLaughlin, but only to disguise the handwriting of the defendant.

NO EFFORT TO DISGUISE.

Kyika was asked if he did not testify at the coroner's inquest that there had been no attempt to disguise the handwriting on the prescription, and he replied that if the transcript said so it was wrong.

Mrs. Sadie Bowers, sister-in-law of the deceased, testified to having called at the defendant's residence with her husband on August 18 and subsequent days till Martin's death on August 23, and she detailed the condition of the patient. She denied that either she or her husband had given Martin any medicine, which was always given by the defendant except once, when, at the request of the defendant, she gave Martin some. Her husband stopped with the patient all of Sunday night, August 23, and she and her husband were there all of the night of August 24. Her husband went with Martin in the ambulance to the German Hospital on the morning of August 25, and she was there when Martin died.

SEEN WITH LERVEY.

After Martin died she told the defendant, and they went together to Mrs. Sutton's home. From there they went to a grocery on Clementina street, near Fifth, where the defendant met Patrick Lervey, and the three went from there to a saloon at Fifth and Clementina streets, where they had a drink. The defendant asked Lervey to stay up with her all that night. They left the saloon and went to defendant's house. Defendant sent Lervey a message and witness left. The day that Martin was taken to the German Hospital she saw the defendant take something from his bed and throw it underneath. In cross-examination she admitted that at the request of the defendant she had got a prescription filled at the drug store at Fifth and Folsom streets.

James Keenan, a saloon-keeper at Fifth and Clementina streets, testified to having seen Lervey and the defendant together in his saloon several times during June and July, and Frank T. Barless, a grocer on Clementina street, testified to having seen them often together. The case will go on this morning.

BOTKIN ATTORNEYS WATCH BOWERS CASE

Hope to Profit by Trial of Woman Charged With Poisoning Her Husband---Experts Say Wife Wrote the Prescription.

The attorneys for Mrs. Coriella Botkin are giving close attention to the trial of Mrs. Martha E. Bowers, accused of the murder of her husband, Martin L. Bowers, by the administration of arsenic.

Mrs. Botkin is accused of the same sort of crime and her second trial will come on before Superior Judge Cook on February 15th.

There are many points in the Bowers case that are like points developed during the first trial of the Botkin case. These things are being closely watched by the lawyers behind Mrs. Botkin. They desire to profit by the rulings of the court in the Bowers case, and to anticipate adverse or favorable holdings in their own case.

The principal witnesses heard yesterday were Handwriting Experts Theodore Kyika and Carl Eisenchimmel and Mrs. Harry Bowers, wife of the dead man's brother.

The experts agreed in saying that Mrs. Martha Bowers wrote the prescription on which, as the State claims, her sister, Mrs. Zylphia Sutton, purchased a generous quantity of arsenic.

Mrs. Harry Bowers told of what happened at the Bowers home just prior to the death of Bowers and of the illness of Martha Bowers after her husband had died.

She said that soon after the death of Bowers, the defendant and herself had drinks in two saloons and that Martha Bowers met Patrick Lervey and told him to come to the house and clean things up, and remain there all night.

The case will be resumed to-day

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POISONED MAN'S WIDOW CONNECTED WITH HIS DEATH

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The portrait above is of Martha E. Bowers in custody of a deputy sheriff. The woman on trial for poisoning her husband has just stepped from a buggy and is making her way to the courtroom in the Hall of Justice, where her case is now in progress.

PAVES WAY FOR EXPERT KYTKA

Testimony Given to Connect a Forged Prescription for Ar- senic With Mrs. Bowers.

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The testimony of physicians yesterday in the trial of Mrs. Martha E. Bowers before Judge Landis, charged with murdering her husband, Martin L. Bowers, went to show that their treatment had effect on the sick man when he was at hospital away from his wife, but that when he went home again the puzzling symptoms returned.

Dr. John F. Dillon testified that he treated Bowers last June, two months before his death, and found him suffering from acute poison, which the patient asserted was the result of eating hain. Dr. John Lagon treated Bowers in August, and testified that the patient had a fever, weak heart and suffered from paralysis. He did not think Bowers died from arsenical poisoning, and that alcoholism might have been the cause.

He was followed by Dr. Frank T. Green, former city chemist, and now of the University of California, who testified that the analysis showed arsenic in the stomach.

Dr. Alfred McLaughlin also treated Bowers in August, and had him taken to the Waldock, where the patient recovered. When he was removed to his home, however, the improvement stopped and the first symptoms returned. They were those of arsenical poisoning, which, in the opinion of the witness, caused the patient's death. He admitted that the same symptoms might have been produced by certain diseases, and said that he had prescribed arsenic once for Bowers but in one-twentieth grain doses in pills. As to the prescription for arsenic on which it is alleged, Mr. Sutton, the defendant's sister, procured the poison from the drug store at Fifth and Folsom streets, the witness denied positively that the signature which it bore was his.

J. C. Peterson, the drug clerk who filled the prescription, was positive that it was handed to him by Mrs. Sutton, and, following him, Chief of Police William took the stand to identify certain samples of the defendant's handwriting executed by her in his office at his request.

These samples will be compared with the handwriting on the prescription by Handwriting Expert Kytka, who will take the stand this morning, to which time the case was adjourned.

CHRONICLE, FRIDAY,

PASSES BLAME TO LAYMAN

Expert Kytka Says Real Estate Dealer Wrote Check That Woman Was Arrested For.

Though the hearing was continued until 2 o'clock Monday by Police Judge Cabanles at request of a young attorney recently employed by J. W. Layman, the Oakland and San Francisco real estate dealer, the Court seemed well satisfied that Miss Maude Lawrence was not guilty of forgery and that the checks in which it is alleged she had forged the name of Layman were written and signed by the man himself.

At a previous hearing Judge Cabanles had said that he considered the checks alleged to have been forged and some that were admittedly in the handwriting of Layman to have been penned by the same hand. He suggested, however, that he did not wish to throw reproach on Layman by deciding that he had repudiated his own signature for the sake of having a woman with whom he had maintained intimate relations convicted on a felony charge, and that in justice to both sides he would seek further light.

It came yesterday afternoon, when he called Theodore Kytka, the handwriting expert, in the stand and handed him a check for \$10, which Layman had admitted having signed and given to Miss Lawrence, and the check for \$100, the signature of which the real estate man repudiated, and on which the charge of forgery was based. After examining them for a minute Kytka said that there was not a shadow of a doubt that both checks were written by the same hand, signature and all. That it was not necessary to be an expert on handwriting to give a positive opinion on anything so plain on his face, and that a microscope would only emphasize the fact which every one should be able to see without his aid. An attempt was made at cross-examination, but the testimony remained unshaken, and the Court said that it only corroborated the impression that he had from the first that if Layman signed the check for \$10 he also signed the one for ten times that amount.

Closely Veiled She Sits in Court While Ex- perts Swear She Forged Prescrip- tion for Poison.

"Arsenic—McLaughlin, N. D."

This little document formed the bone of contention this morning in the trial of Martha E. Bowers, charged with the murder of her husband, Martin L. Bowers, last August. It was the note or prescription by which arsenic was procured for the poisoning of Bowers. The prosecution seemed to have built its case largely on the theory that this prescription was written by Mrs. Bowers, and through it she obtained the fatal doses from J. C. Peterson, a druggist.

Welding the Chain.

In addition to this important link in the chain of circumstantial evidence which the prosecution has been welding together against Mrs. Bowers there is another one, which was brought out in the testimony yesterday afternoon, when it was shown that Bowers quickly recovered at the sanitarium while away from his wife's attentions, and as quickly faded away when he returned to his home to be under her care.

This morning was given up to the handwriting experts and much of the afternoon was consumed by the prosecution pulling in this line of evidence, upon which the case appears to turn.

Chief of Police Testifies.

Chief of Police William was called to the stand to testify regarding the forgery of an order for arsenic purporting to have been signed by Dr. McLaughlin to be administered to Bowers. He reviewed the examination of Mrs. Bowers, the defendant, in his office in the presence of the District Attorney and himself. Mrs. Bowers was asked to write the words on the prescription, and also other words. She hesitated, and then formed a letter different from her usual way of writing it. Exemplars of her handwriting were introduced in evidence and the chief was excused.

J. C. Peterson, the druggist, gave testimony to the effect that he did not remember who came to his store for arsenic for Bowers. He thought that Mrs. Bowers got some of the remedies, but could not recall whether Mrs. Sutton, her sister, had been at his store. The defense moved to strike out his tes-

timony because it was hearsay, but the motion was denied by the court.

Swear to Forgery.

Handwriting Experts Theodore Kytka and Carl Elsenkschmel were put on the stand to prove that the prescription for arsenic which Dr. McLaughlin had handed at yesterday's hearing as a forgery, was written by Mrs. Bowers. In this the prosecution proceeded on the theory that Mrs. Bowers bought the poison on a forged prescription for the purpose of administering the drug in small doses to her husband, and furthermore that she carried out her design with the result that Bowers finally succumbed to arsenical poisoning.

Kytka came forward with negatives and photographic reproductions of the forged prescription and of exemplars of Mrs. Bowers' handwriting and greatly enlarged photographs of them. He stated positively that in his opinion the prescription and the known handwriting of the accused woman were in the same hand. The striking resemblance of the letters in the forged prescription with those of Mrs. Bowers' handwriting was demonstrated to the jury by means of the large reproductions.

Defendant Is Accused.

Elsenkschmel testified he had compared the various exhibits of handwriting, and in his opinion the same person wrote the forged order for arsenic and the other words and letters. As the latter were written by Mrs. Bowers, the testimony was, in fact, that she wrote the prescription for the poison. The witness stated further that Dr. McLaughlin did not write the prescription or sign his name to it. He, too, demonstrated with the aid of enlarged photographs, though in different directions, the similarity of the forgery to Mrs. Bowers' handwriting.

After the noon recess Elsenkschmel took the stand again and went into details to prove that the forged prescription was the work of defendant. The testimony of the experts was constantly objected to, and the attorneys for the defense seemed satisfied on showing to the jury that the experts were employed by the District Attorney to give their expert testimony in the case.

The hearing will be resumed before Judge Carroll Cook tomorrow morning.

"MAMMY" PLEASANT IS DEAD AT AGE OF NINETY

Grief Over the Ingratitude of Her Chief Debtors Said to Have Hastened Her Death.

Career of the Famous Colored Woman Who Has Been a Noted and Mysterious Character for Over Half a Century

"MAMMY" PLEASANT, the weird and mysterious colored woman who has been a noted character in San Francisco since 1840, and wielded a strange influence over the career and destinies of some of its best known citizens almost down to the present hour, is dead. She passed away at 10.55 o'clock yesterday morning at the home of L. M. Sherwood, 2761 Filbert street, where she had been living since November 19th last, and her remains will be interred in the Sherwood burial lot at Napa on Wednesday.

Even in the final days and death of this remarkable woman is found the dramatic element which for more than half a century was so strongly a part of her life and surroundings. Born nearly ninety years ago, old age was obviously a leading cause of her death, but those who have been nearest her bedside in the last few weeks declare that grief over the ingratitude of those she felt were her chief debtors greatly hastened her end, and that the primary cause of her death was a broken heart. In her long career "Mammy" Pleasant has handled many fortunes; has held property in her name, and claimed others valued at hundreds of thousands, but her affairs became so involved a few years ago that she was declared a bankrupt. Yet she still held interests in certain suits involving not less than \$150,000, and in the final settlement of her estate a very considerable amount promises to be left for her heirs.

Several wills have been made at one time and another, disposing of these interests to those who have been regarded as her friends, but three weeks ago a final will was made, revoking all former wills and making such disposition of her property as will unquestionably come as a big surprise to those who have for a long time regarded themselves as her chosen heirs. Neglect on the part of those she felt she had a right to depend upon and failure to keep promises caused her to brood and grieve throughout the days of her last illness and the revocation of her former wills and the making of a new disposition was the final result. Those who had been named in other wills were even as late as last night inter-esting themselves in the disposal of her affairs, and this announcement will be the first intimation they will receive that old "Mammy's" plans were changed in the past few weeks.

LITIGATION WILL CONTINUE.

The litigation which has been characteristic of her career for the past dozen or more years promises to continue over her estate. More than one will will undoubtedly be filed for probate, and since those who are the beneficiaries under prior documents are closely involved in other litigation in which she has wielded a great influence, the fight over the latest document is likely to be bitter. It can be said that the will last signed makes a totally different disposition of the property from that generally counted upon by those who have been associated with the dead woman.

In connection with "Mammy" Pleasant's death there are also charges that much of her personal property, kept in trunks and boxes, had disappeared during her last illness, previous to her being taken to the Sherwood home. In 1899 Mrs. Pleasant had a final falling out with Mrs. Teresa Bell, over whom she had had a mysterious influence for many years, and she was evicted from the Bell homestead, at Octavia and Bush streets. The residence was long known as the "House of Mystery" in connection with "Mammy" Pleasant's affairs, and where she lived for a quarter of a century.

From the Bell house Mammy Pleasant went to a flat at 2107 1/2 Webster street, and remained there until she was removed to the Sherwood home. There was also living there at the time of her removal Reginald Bell, second son of Thomas and Teresa Bell. Mrs. Pleasant had been in much of the time for two years, leaving the house only in case of great emergency and rarely leaving her bed. Mrs. Sherwood, who had been a visitor at the house at frequent intervals, states that she found her last November in a sad state of neglect, needing even the necessities of life, and on that account took her to her own home. It is stated that a number of people had keys to the house, in order that they might enter when Mrs. Pleasant was unable to personally admit them, and it is also stated that many articles, including clothing, jewelry, etc.,



Mammy Pleasant, the Famous Colored Woman Who Died Yesterday.

(Photo by Taber.)

have disappeared during the past few months.

AIDED JOHN BROWN.

To those of the present day and generation "Mammy" Pleasant's name is more particularly known in connection with the Bell estate and with the claims of Sarah Althea Bell against Senator Sharon, but her claim to notability goes back a good deal further. It was claimed by "Mammy" Pleasant to some of her most intimate friends that she furnished John Brown, the abolitionist, with \$30,000, which constituted, in the main, the fund which aided in the organization of his famous raid, "Mammy" was born in Philadelphia August 19, 1814, her father being a Kanaka and her mother a Louisiana negress. Her maiden name was Mary E. Williams and her father was an importer of silks.

At 6 years of age she was placed with a family by the name of Hursey at Nantucket, and later moved to Boston, where she married James W. Smith, a wealthy tuboo. Smith was a friend of Garrison, Phillips and other well-known abolitionists, and before his death in 1844 he made his wife promise to devote a portion of the money left her in freeing the slaves. The greater part of his fortune consisted of bonds to the amount of \$45,000. In 1848 "Mammy" married John J. Pleasant, who had been an overseer for her former husband, and soon after came to California around the Horn.

On the day of her arrival in San Francisco many of the wealthy merchants and mine owners participated in an auction of her services as a cook, and as high as \$500 a month was bid. She finally declined to agree to the arrangement, however, and opened a boarding-house on Washington street, which was for years the leading boarding-house in the city. Among those who lived at the place were the best-known men of the San Francisco of that day, including Sharon, Newton Booth, Broderick, Terry and others equally famous.

In 1858 she returned East and met John Brown, with whom she had had considerable correspondence. She claimed that she had a meeting with Brown at Chatham, Canada, at which time she presented him with a \$30,000 draft for \$30,000. Brown was to organize the raid and "Mammy" was to work as an agitator among the slaves. She stated that the failure of the raid was due largely to the fact that Brown was imprudent, starting the attack before his forces were fully organized. On Brown's person at the time was found a note signed "W. E. P.," as it was supposed. Mrs. Pleasant claimed that the signature was "M. E. P.," the M signed by her giving the appearance of a W. After the failure of the raid Mrs. Pleasant returned to San Francisco.

THE BELL AND SHARON CASES.

"Mammy's" connection with the Bell

and Sharon cases is filled with mystery. There have been claims that she practiced voodoo rites in both cases. Stories were circulated of strange ceremonies in the Bell mansion, and in the Sharon case it was testified that Sarah Althea, acting under "Mammy's" advice, went to a graveyard on a certain May day and placed in the ground a shirt and pair of socks belonging to the millionaire.

Mrs. Pleasant was the hacker of Sarah Althea in her fight for the Sharon millions to the extent of many thousands of dollars, and after the death of Terry looked after the unfortunate woman during the early stages of her insanity, finally having her sent to Stockton. It has been claimed that the money paid out in the Sharon case came from the Bell estate. "Mammy" was housekeeper in the Bell home for many years and handled the money expended in running the household. After Bell's death she looked after his widow's business affairs.

When Bell died he was supposed to be worth \$10,000,000 at least. The appointment reduced the amount to less than a quarter of that sum, and the litigation over the estate is still going on, with little show for even a few hundred thousands when final distribution is made. Bell died suddenly as the result of a fall over the banisters in his own house, and there was much talk at the time connecting "Mammy" with the affair, but nothing came of it. Later there was a mysterious assault on Fred Bell.

"Mammy" always seemed able to obtain an unlimited amount of money from the Bell estate. In the settling up of the Bell affairs deeds were found showing that the Bell homestead was actually in Mrs. Pleasant's name. She also made claim to diamonds and other jewelry in a safe-deposit box in the Dupont-Kelly Bank appraised at \$120,000, and the ownership is still a matter of litigation. "Mammy" claimed that she let the jewels out to those who desired to display them at functions.

"Mammy" Pleasant was supposed to be the guardian of more family skeletons than any person in San Francisco, but while it was believed she was connected with many questionable transactions, it was always asserted that she never betrayed a secret of even her most enemy, either for gain or for revenge. After her break- ing off with Mrs. Bell, it was supposed that the secret of her influence over the Bell homestead would be exposed, but all efforts to induce Mrs. Pleasant to talk failed. It is said that recently, when she was in great need, an offer was made to her of \$50,000 if she would subscribe to certain facts concerning a prominent San Francisco man over whom it was desired to hold a club to prevent threatened action on his part. She declined, with the remark that she had never needed money badly enough to betray a friend.

SAW MRS. BOWERS SIT ON PATRICK LERVEY'S LAP AND HUG THE MAN AND KISS HIM



The portraits are of Harry Bowers and Caroline Bowers, his wife, who in court today gave damaging testimony against Martha E. Bowers, on trial for poisoning her husband, Martin Bowers. Harry Bowers is a brother of the murdered man and during the trial of the case attorneys for the defense have endeavored to prove that he and his wife had more reasons for wishing Bowers out of the way than the woman accused of the crime.

SENSATION IN THE MURDER TRIAL

Mrs. D. B. McCallum of Portland Testifies to Scene Concerning the Woman Charged With Killing Her Husband.

TESTIMONY SHOWS WHAT MOTIVE WAS

Harry Bowers, Brother of Dead Man, Tells of the Symptoms He Noticed Being the Same as in Poisoning Cases.

With startling clearness a motive was shown this morning at the trial of Mrs. Martha E. Bowers, charged with poisoning her husband, for the dead. For the first time Mrs. D. B. McCallum of Portland, Or., told of witnessing Mrs. Bowers and Patrick Lurvey with their arms around each other and kissing. She also saw Mrs. Bowers sitting on Lurvey's lap.

Mrs. McCallum knew Mrs. Bowers at Portland and was in San Francisco visiting with her sister, who lives at 1146 Howard street, at the time of Bowers' death, and for some time prior. She went with Mrs. Bowers to a near-by saloon one day. Mrs. Bowers going there to meet Lurvey. Their greeting was affectionate and soon Mrs. Bowers was on his lap, she said. Continuing, the witness stated that Mrs. Bowers placed her arm around Lurvey's neck and she heard the snarl of kisses. She was present when Bowers suddenly appeared on the scene, and, taken by surprise, Mrs. Bowers turned to Mrs. McCallum, saying, "Introduce your friend." Mrs. McCallum did not know the man's name, but Lurvey spoke up and said who he was.

"Oh, yes, I have heard of you," was Bowers' reply, as he immediately turned away and began walking back and forth in the room in an agitated manner, Mrs. McCallum said.

Harry Bowers, brother of the defendant, was another witness. He said he was called to his brother's home on the night of August 16 by Cunningham, Mrs. Sutton's friend. After that he called every evening. A few times he gave his brother medicine which was handed to him by the dying man's wife.

He described the symptoms which he noticed in particular. His brother was suffering from burning sensations, he said, and was all the time intensely thirsty. He also talked in a low voice, all of which, according to the medical profession, indicate the presence of poison.

The wife of Harry Bowers gave testimony along the same lines as that of her husband.

CAUGHT RAISING A MONEY ORDER

One of a Gang of Swindlers Is Arrested in Tacoma and Confesses to the Crime.

TACOMA (Wash.) January 13. The police today arrested J. H. Emfield, who has confessed to raising a Postoffice money order from \$1 to \$25. The order was issued in Seattle Saturday for \$1 Monday morning Emfield presented it at the Lumbermen's National Bank here and received what it called for, \$25. The police believe him to be a member of a gang of clever swindlers that has been operating throughout the state for three months. Seattle has been the headquarters of ten or more members, who purchased money orders for small sums usually \$1, and sent them to confederates in Everett, Whitefish, Tacoma, Olympia and Aberdeen, where they were raised to amounts ranging from \$15 to \$100 and passed on merchants and hotel keepers. They were usually cashed willingly, as there was always the amount of a good sale to be deducted. Usually the artisans of the swindlers were nonchalant, when Emfield began cashing orders at the national banks he pressed the limit, as his arrest here shows.

EXPERT TESTIFIES THAT LAYMANCE SIGNED CHECK

Expert testimony put a different face on the case of Maud Lawrence, whose arrest J. Walter Laymance caused on a charge of forgery. Miss Lawrence presented a check for \$100, signed by Laymance, to the Columbia Bank, and was arrested. Yesterday in the police court Expert Kytkin testified that the signatures were penned by Laymance. Miss Lawrence claims that the check was given to her by Laymance on their return from an automobile ride.

MRS. PLEASANT'S WILL FILED FOR PROBATE.

She Bequeathed All of Her Estate to Lyman Sherwood and His Wife.

Mrs. Mary E. Pleasant's will, giving all of her estate to Lyman M. Sherwood and Mrs. Olive E. F. Sherwood on account of what they had done for her, was filed yesterday for probate by Sherwood, who is named in the will as executor, no bond to be required from him.

Mrs. Pleasant stated in the will that she had promised and agreed to bequeath all of her property to Mr. and Mrs. Sherwood. She also said: "I declare that I am unmarried, a widow, and have no known living relative dependent on me for support or who has the right to expect to be the recipient of my gift or bounty of me."

Sherwood says in his petition that he does not know the value of the estate. The will was dated January 2, 1904, and witnessed by Thomas W. Smith of 224 Gilbert street and August Roehneke of 256 Greenwich street.

Mrs. Pleasant died on January 11th. She was a well-known colored woman, who was long connected with the family of Thomas Bell and who figured in the Sherwin case.

SEVEN YEARS FOR FORGERY.

J. E. Crothers, a young and clever criminal, was sentenced in Folsom for seven years for forgery. He secured twenty cases of whisky from the Jesse Monte-Runi Company, on a forged order, and then sold the whisky for \$100 to Kearney & O'Kerke, grocers, at Eddy and Pierce streets.

Wanted for Forgery.

A. Globanetti secured a warrant from Police Judge Fritz yesterday for the arrest of E. Gatto on a charge of forgery. He alleges that he and Gatto were employed on the Southern Pacific at Lakeview and on November 24 Gatto forged his name to his pay card for \$14.40 and got the money. Hugh Hayes, who lives on Ida street, Oakland, secured a warrant from Judge Fritz for the arrest of Coleman Conroy on a charge of forgery. He alleges that in August last Conroy forged his name to an express order on Wells, Fargo & Co. for \$20.

Jan 14 - 1904

Recorder
Jan 15 - 1904

Chronicle
Jan 16 - 1904

Ex
Jan 15 1904

Call
Jan 14 1904

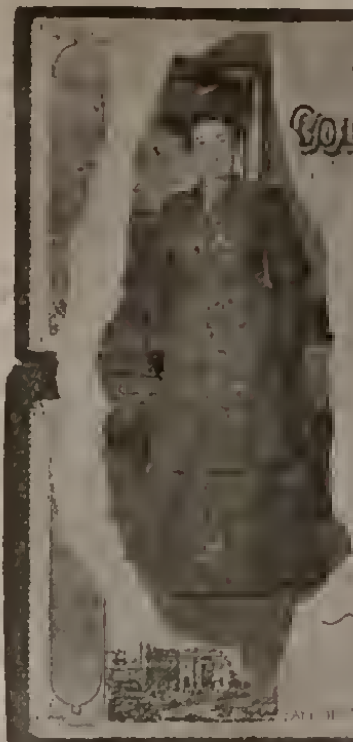
LAYMANCE AND WOMAN FRIEND DIFFER IN THEIR STORIES ABOUT SEARCH FOR PLEASURE

EXPERTS DIFFER IN SIGNATURES TO CHECKS

Kytka Claims Order Presented by Maud Lawrence Which She Is Charged With Forging Is Genuine.

Writing Experts Kytka and Ames do not agree on the genuineness of the signatures to the checks that were passed by Mrs. Maud Lawrence at the Columbian Banking Company, to which the name of J. W. Laymance was signed. Mrs. Lawrence was arrested a few days ago when she presented one of the checks calling for \$100 at the window of the bank and charged with forgery. At a hearing of the case on Saturday before Judge Cabaniss, Expert Kytka said the signature to the check was genuine. Today the prosecution put Expert Ames on the stand and he said the signature to the check was a forgery. The court can take its choice.

Mrs. Lawrence passed four checks at the bank. One was for \$100, another called for \$50 and two others were for \$100 each. She was arrested when the second one for \$100 had been cashed. Laymance claimed that he had given the woman only one check and that was for \$10.



COLUMBIAN BANKING COMPANY

IBIAN BANKING COMPANY

The portrait above is of Miss Maude Lawrence, who is charged by J. Walter Laymance, prominent politician of Oakland, with forgery. The checks shown are one for \$10, which Laymance admits was drawn by himself, and one for \$100, upon which the felony accusation is based. Handwriting Expert Kytka declares that the same hand is responsible for the execution of both.

"She followed me," declared J. Walter Laymance, the Oakland real estate man. "He invited me," asserted Miss Maud Lawrence, an old-time acquaintance of Laymance's.

Giving testimony which was directly opposite, and only agreed to the extent that Miss Lawrence was given a \$10 check by Laymance, and that she accompanied him on an automobile ride, the two were interesting witnesses in the Police Court today.

Mrs. Lawrence is charged with forging Laymance's signature to three checks aggregating \$250. Experts employed by both sides have declared that the signatures are genuine and that they are not Judge Cabaniss, before whom the case is being tried, intimates strongly that in his judgment the signatures are all genuine.

Laymance Gives Testimony.

Laymance became excited frequently while giving his story. He said:

"One day she called me up over the telephone, saying, 'I am Maud.' I replied that I did not know any Maud. 'Why yes, this is Maud Scott,' she answered. I asked her what she was doing here, as I thought she was in New York and had married and settled down there.

"She asked me to go to her home in the Bay State, but I answered, 'Not for me.' She pressed me, and finally I said that I would meet her for ten minutes to the dining room below. I went there and she asked me for money. I gave her a check for \$10 to pay for her room for a week. I left there and went to the Oberon and in half an hour she followed me there. I was drinking with some gentlemen. I did not ask her to go there, but she joined us, and perhaps I did treat her with the others."

Being cross-examined by Thomas

O'Connor, who is Miss Lawrence's attorney, Laymance said that the party had remained at the Oberon from 11 o'clock at night until 2 o'clock in the morning, when somebody suggested an automobile ride. The three men and Miss Lawrence and another woman whom they picked up on their way went out to a roundhouse near the Park. On their return they reached home between 4 and 4:30 o'clock.

Laymance was asked who the other men were. He objected to making an answer. "I realize that it is an unfortunate thing for a man to be dragged into this," remarked Attorney O'Connor, and he withdrew his question.

"I did not want to see the woman," Laymance declared, "because I did not want her to humiliate and bother me as she did years ago."

"Did you not go to Chicago at one time and send this woman on in advance and pay for her accommodations at the Palmer House?" Laymance was asked.

"No, sir," he replied.

"Did you not visit with her there?"

Chased with a Gun.

"No. To my surprise she called on me at a restaurant one day and asked me to go around the block with her. I refused and she chased me around with a gun."

Referring back to the alleged forgery Laymance said he discovered them on December 31, when comparing his returned checks with the stubs in his check book. He said this he had borrowed \$40 from Miss Lawrence, who was known by the name of Scott when she lived in Oakland up to three years ago and was much in the company of Laymance, residing in his wife naming her as co-resident in divorce proceedings.

"Mr. Laymance gave me the \$10 check in the box at the Bay State dining room,"

Miss Lawrence said when on the stand. "He invited me to go to the Oberon with him and I went upstairs and got my jacket before going over. It was at his invitation that I remained there with the party and later took the automobile ride."

Pressed Check in Hand.

"After everybody had left and while only the two of us were in the automobile in which we had been occupying the same seat, in front of the Bay State, he pressed the check for \$10 into my hand. I do not know when he wrote it. At the same time he said he would see me the next day, but he did not come around."

"A few nights later he telephoned, asking me to meet him, but I said I had retired and could not. I had gone to bed and was asleep when he came to my room. I know it was after midnight and I do not know exactly what time it was. He stayed for an hour and before leaving wrote a check for \$100, asking me at the same time to loan him \$40. I did so. One morning a few days later some man appeared at the door and handed me a letter containing another \$100 check, saying there was no answer."

Tore Up the Check.

"When I went to the bank to cash this I was called into the president's office. He said that Mr. Laymance repudiated the signature. He also said that he did not want to make trouble for me, knowing what kind of a man Laymance was, and handed back the check. He suggested that I call on Mr. Laymance. I went to his office, but there were several men in there. Since President Swift had told me that the check was no good I then tore up the check. When I got to my room there was a Pinkerton waiting for me."

CHRONICLE, SUNDAY, J

FINDS CHECK WAS GENUINE

Check Forging Charge Against
Maud Lawrence Dismissed
and Laymance Discredited.

Despite the testimony of J. W. Laymance, the San Francisco and Oakland real estate dealer, that Maud Lawrence had forged his name to a check for \$100, and that of Daniel Ames, who, after qualifying as a handwriting expert, picked out an admitted signature of Lawrence as doubtful, Police Judge Cabaniss yesterday dismissed the charge of forgery against the young woman. Cabaniss said that if the bank officials paid several of these checks, as they did, without question, and only refused to pay when Laymance repudiated them, when the signatures were in nearly alike that only Ames could find a difference, and when handwriting expert Kytka asserted positively that the disputed check was written by Laymance, his original impression was only strengthened.

"If you gentlemen," said the court, turning to the attorneys, "would like to have me go at length into a comparison of the testimony in this case I will do so, but otherwise I will simply state that the charge of forgery is dismissed as against this defendant, Maud Lawrence." There was no request for a review of the testimony, in which Laymance had denied having written the checks or giving them to the defendant.

When the case was called the defendant was on the stand for cross-examination. But Attorney Kelley, who represented Laymance, was held down to the point at issue and not allowed to go into the history of the woman's past. For that reason the court refused to allow him to call witnesses to testify to such matters.

CHARGES REAL ESTATE MAN WITH A FELONY.

Warrant Issued for H. F. Kreda
for Obtaining Money by
False Pretenses.

A warrant was issued by Police Judge Cabaniss yesterday charging H. F. Kreda, a real estate dealer on Market street, near Fourth, with feloniously obtaining money by false pretenses. The complaint was sworn to by P. F. Clark, and his attorneys, Burke & O'Grady, alleges that about January 4 H. Kreda sold to their client a "saloon and fixtures at 604 Fourth street, the purchase price to be \$150. At this time Kreda paid \$195, Kreda representing that he had a clear title to the property through a bill of sale and chattel mortgage from M. Seydler, the former proprietor. Clark learned after he had paid the money that Seydler was dead and his estate was in probate, hence Kreda had no title by the chattel mortgage which had not been foreclosed. He demanded return of his \$195, but it was refused, Kreda, however, offering to accept \$200 more as the full price of the place. It is alleged that the property has since been sold by Kreda to another party for \$500.

Jan 24-1904

January 16, 1902

"Mammy" Pleasant and John Brown.

The death of old "Mammy" Pleasant this week makes the following story, by Sam P. Davis, of particular interest:

When in 1858 John Brown made his suicide, a full-length picture of him was taken at Harper's Ferry, Va. There was found on his person a letter. A significant paragraph which attracted the attention of the detectives, read as follows: "The axe is laid at the foot of the tree and after the first blow is struck there will be plenty more money coming. W. E. P."

There was considerable speculation as to the author of this letter, and all sorts of wild stories were about it. The horses, arms and ammunition Brown had with him at various times must have cost considerable money. This capital came from his many sympathizers. It was thought that the author of the letter was one of his heartiest backers, but, though a very rigid search was instituted, all efforts to find W. E. P. were unavailing.

Now after nearly half a century has elapsed, the identity of the writer of the letter was revealed to me in a most unexpected way.

On October 29, 1901, I received the following telegram from San Francisco: "Mr. Pleasant very ill and would like to have you come down. Doctor Kearney."

A few weeks prior to this time I had called on Mrs. Pleasant, an aged colored woman in San Francisco, whom I had known for many years. She had told me that her son, John Brown, was far off and asked me if I would come to her in case she felt that death was near, as she had something of considerable importance to tell me.

When I reached her bedside next morning she had rallied considerably, but her physician told her that if she had anything special to tell me that she should do so at once. I took down her story and reproduced it here as nearly as possible as it came from her lips.

"I have never made this statement in full to any one, but before I pass away I wish to clear the identity of the party who furnished John Brown with most of his money to start the fight at Harper's Ferry and who signed the letter found on him when he was arrested.

"I furnished the money and wrote the letter. My initials are M. E. P. for Mary E. Pleasant, but in signing my name I have always made the M so that it looks like a W, and I suppose that little mistake was all that saved me from being captured and hanged alongside of John Brown, and sometimes I wished that I had gone up on the scaffold with him, for I would at least have died in a good cause and in good company.

"I was born in Philadelphia at No. 9 Barclay street. My father was a Kanaka and my mother a Louisiana negress.

"His name was John Alexander Williams and he was an importer of silks and dress goods. When about seven years of age I was sent to some people in Nantucket. The name was Hussey, and they kept a huckster shop. My father, as I afterwards learned, sent money every year for my education, but as I was an unusually smart girl and quick at everything, they kept me at work in the store.

"I finally went to Boston to better my condition and learned book-binding and rest-making of a man named Jackson, on Mermaid street. Here I met my first husband, James W. Smith. He was a wealthy Cuban.

"I sang in the church choir at St. Mary's Church on Endicott street. Father McRoy was the priest and Father Trainor the assistant.

"I was so young that but few knew that I had any colored blood. I sang with a white choir, and one evening after the service Mr. Smith, who was introduced by the priest, saw me home. We were married inside a month. My husband was a close friend of Wendell Phillips and William Lloyd Garrison, also of Captain Banque, whose mother was the daughter of the president of Jamaica.

"Mr. Smith became very much interested in the abolition question and was always in close touch with the leaders of the movement.

"Sometimes Garrison and Phillips would come to our home, also George W. Green and Louis Hayden. Mr. Smith frequently demonstrated his feeling for the colored race by buying slaves and giving them their liberty. On his death-bed, in 1844, he made me promise that I would devote a portion of the money he left me to the cause of freeing the slaves. I promised with a full heart,

and before I die I want to let the world know how I tried to keep that promise.

"After my husband's death, Captain Edward Gardner, who had known me in Nantucket, took charge of my affairs and settled up my husband's estate. Most of the money which I received came from the sale of bonds which he had owned. They brought in a little over \$45,000.

"I married my second husband, John J. Pleasant, in 1848. He was the foreman and manager for my first husband. We were married in the Gore Catholic Church in Charleston.

"We went to California soon after that and invested our money during the good times of '49. I lent money at ten per cent a month interest and invested in real estate and kept a boarding house on Washington street. It was the leading boarding house in San Francisco and set the best table. Many of the best families of the city lived with me. Governor Booth was elected to office while he lived there. We were always great friends and I consider his the finest intellect that California ever produced.

"In 1858 I went back to New York to help John Brown. I had no well-defined idea of just how I was to help him, and concluded to see what could be done after I reached the East.

"I had been a regular subscriber to 'The Liberator,' edited by Garrison. I also corresponded with Garrison and Phillips and Gardner. I told them that I had money and would bring plenty to help them in their struggle for the liberty of the blacks. I left San Francisco with my husband on April 1st. I think we went on the 'Moses Taylor.' I took with me, in addition to the money needed for expenses, a thirty thousand-dollar U. S. Treasury draft, which I intended to give to John Brown, of whom I had heard through the letters from the East and the papers. Robert Smith of San Francisco took the money and got the draft. John W. Coleman and Richard Patrick sent us our steamer tickets by William Alvord, who was then their messenger boy. He subsequently became Mayor of San Francisco and president of the Bank of California. Just before I left I received a wire letter from William Lloyd Garrison. He was then editing 'The Liberator' and lived at No. 11 Pine street in Boston.

"Captain Gardner knew of our coming and met us at the dock when we reached New York. We went at once to a colored boarding-house, kept by a Mrs. Bell. That afternoon I went out to attend to business, and having letters to the right people I got my money on the draft of A. A. Law, through Cartright Harrison. It was changed into a Canadian draft. I left for Canada that night, for I felt impatient to be moving in the matter at once. I crossed the river at Detroit, and went to Chatham, the second stopping place then from Windsor.

"I wrote letters to several parties and told them that I wanted to have a talk with John Brown in Chatham.

"I put up at a boarding house for colored people, kept by a Mr. Barbour on King street. Here I was joined by John Brown and his son. They had come direct from Harper's Ferry. We had several conferences in this house. I had received the money on the Canadian draft from Mr. McKee, who was in some way connected with the bank there. I turned the whole amount over to John Brown and his son one night, in my room.

"None of the people who had been corresponding with me knew to what use the money was to be put. John Brown and I talked it over, but we did not confide the details to our friends. I told him that by the time he had organized for his fight I would have the blacks in a state of insurrection and near at hand to come in with reinforcements. With this agreement we parted. I then went to Montreal and there I met several abolition sympathizers, Wendell Phillips and Green, who was then his brother-in-law, called on me in Montreal, but I did not tell them of my plans with Brown. I knew there was to be bloodshed and concluded not to talk it over with them.

"I then went back to the United States and secured a trusted man to go with me down along the Roanoke river and incite an uprising of the slaves. I was dressed in the clothes of a jockey and he had horses along and we posed as people connected with the turf.

"We stopped first at Mark Alexander's plantation, where we talked over the outlook with his negroes. They were very much taken with the idea of participating in the fight for their freedom. We also visited Henry Coleman's, Mr. Sydney's,

Mr. Townsend's and John Nelson's plantations. We remained in the negroes' cabins at night. We arranged that when Brown made a stand at Harper's Ferry the negroes were to rise in every direction, but our plans were all knocked to pieces by Brown himself. He started the raid on Harper's Ferry before the time was ripe. I was surrounded when I heard that he had started in and was beaten and captured and that the affair upon which I had staked my money and built so much hope, was a fiasco. I have never been able to fight it out. It was a big blunder all around and when we saw that things had ended in failure we began to look about for our own safety. We read in the papers that all of Brown's fellow conspirators were being sought for by the authorities. When they captured him they found among his papers a letter from me. I cannot remember all of the letter now, but it contained these words:

"The axe is laid at the foot of the tree. When the first blow is struck there will be more money and help. The papers stated that such a letter was found and signed 'W. E. P.'"

"I parted with my friend whom Brown had sent me and I have never seen him since or heard from him, except through other parties. I supposed he would write me after I returned to San Francisco, but I never received my letter. We went down the Pamunkey river at night in a boat and then repacked. I went to New York as fast as I could. I read in the papers that the detectives were on the track of the 'W. E. P.' who wrote the letter, and I had a quiet laugh when I saw that my poor handwriting had given them a false trail. I went to a sailor's boarding house at No. 20 Grand street in New York and registered as Mrs. Smith. I remained there until after Brown was hanged in December, and finally started home to the Pacific Coast.

"I did not dare me the return steamer ticket that I had, but gave it to a woman on condition that she should take the name of Mary E. Pleasant during the voyage. My husband went on the same steamer in the first cabin, but to be certain that I would not be caught I went as a steerage passenger under the name of Smith. I asked all sorts of foolish questions about California of my fellow passengers on the voyage and was often laughed at for my seeming ignorance. When I reached home I found a letter awaiting me from John Brown. I destroyed it at once. Brown was an earnest, sincere man and as far as I was ever loved, but he lacked judgment and was sometimes hasty and cranky. He wrote too much and talked too much.

"I felt very bad over the failure of my mission, but I never regretted the time or the money I spent on the trip. It cost me, all told, about \$10,000. It seemed at first like a failure, but time proved that the money was well spent. It paid the way for the war and the war freed the slaves. I always felt that John Brown started the Civil War and that I helped Brown more than any other person financially. I wish I had given more. It was the greatest pleasure of my life to give this money. When I die, all I want on my tombstone is: 'She was a friend of John Brown.'"

I called her attention to the fact that after these long years of silence her story would require considerable corroboration before the public would believe it, and I asked her if she would be able to prove conclusively that she was at Chatham when Brown was.

She replied, "I bought four or five lots there of a clergyman, but I cannot recall his name. I think he preached in a Methodist church. John Brown has some children still living in California and they would be likely to know about the money I advanced to Brown."

I hunted up Jason Brown, an old man living in great poverty in Ben Lomond, Santa Cruz County, Cal. He is in the neighborhood of eighty years of age and is still strong and active. He is in receipt of a small pension from the Government, for he served in the Union army fighting for the same unifying principles for which his father was hanged. When I stated my mission he received me very cordially.

"Yes," he said in response to my questions, "It is true my father went to Chatham in '58 and met a colored woman who advanced him considerable money. I don't know her name."

I found Susan Brown, a daughter of John Brown, living near Los Gatos, not far from her brother Jason.

I explained my presence and asked for such information as she might give. She said that her father had met a colored woman in Chatham, Canada, and received considerable money from her to further the cause of emancipation, but he never disclosed her name.

I addressed a letter to the town auditor of

LIFE TERM IS FATE OF MURDERESS

Martha E. Bowers Is Found Guilty as Charged.

Convicted of Having Slowly Poisoned Her Husband With Arsenic.

Jury Listens to Arguments and Returns Its Verdict After but One Hour's Deliberation.

Mrs. Martha E. Bowers was found guilty of murder in the first degree by a jury in Judge Carroll Cook's court last night. The jury fixed the penalty at life imprisonment.

The accusation against Mrs. Bowers and her sister, Mrs. Zylpha Sutton, of conspiring jointly to slay the husband of the former forms an interesting chapter in the criminal history of San Francisco. Last August Bowers, who was a bridge builder by occupation, died, supposedly of pulmonary poisoning. Certain circumstances connected with his death, notably the facts that Mrs. Bowers was at the time consorting with one Patrick Leary, and had drawn a large sum of money from the bank, aroused suspicion.

An investigation followed and both Mrs. Bowers and Mrs. Sutton were taken into custody. At the request it was shown that Bowers had died of arsenical poisoning and Mrs. Sutton was accused of having secured the deadly drug on a forged prescription.

The formal charges were filed on September 5 and on September 22 the women were given their preliminary hearing before Judge Cabanis. He did not consider the evidence against Mrs. Sutton strong enough to commit her to holding her and she was accordingly discharged, while Mrs. Bowers was held to appear before the Superior Court.

The trial began on January 11 and strong circumstantial evidence was introduced. It was shown that Bowers, when first taken ill, was removed to a sanatorium, where he began rapidly to recover. Later he was taken to his home, and, despite the efforts of the attending physicians, sank rapidly. Later he was removed to another hospital, but died a few hours after his arrival there. It was also shown that about this time Mrs. Bowers had drawn a considerable sum of money from a local savings bank. The money had been deposited in the joint names of herself and husband, but either might draw it. The theory of the prosecution was that Mrs. Bowers wished to get rid of her husband that she might be free to consort with others who seemed to have a stronger hold upon her affections.

The closing arguments in the case were made last night. Assistant District Attorney Ferral appearing for the prosecution. He was followed by Hugh Melanes and Frank Drury for the defense. The concluding argument for the prosecution was made by District Attorney Bevington. The jury went out at 10 and returned with its verdict in about an hour.

DETAILS GIFT OF THE CHECKS

Maude Lawrence Tells How and When Layman Gave Her Paper Which He Repudiates.

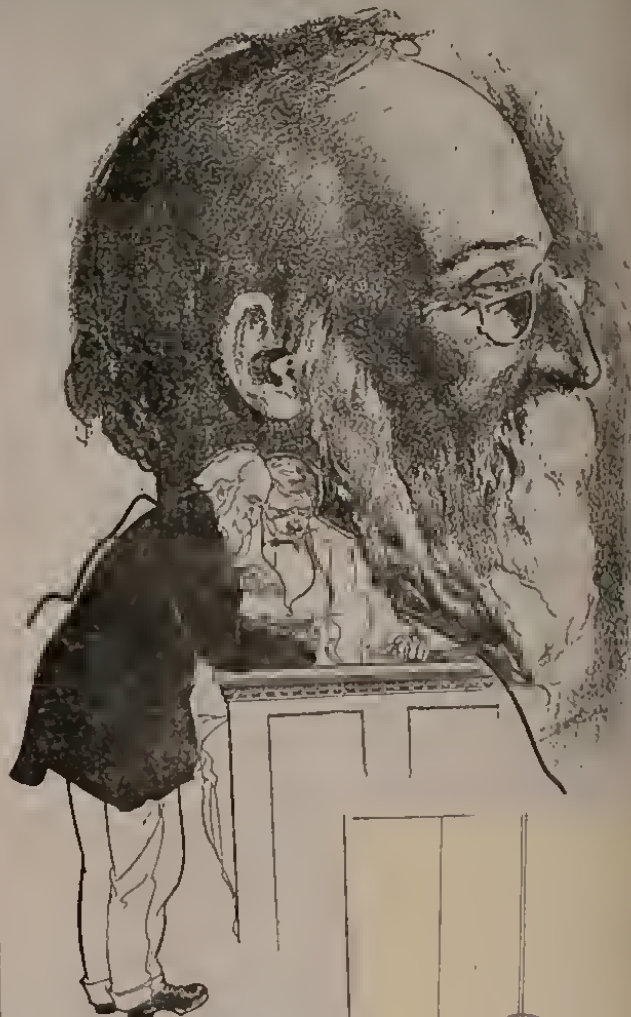
J. W. Layman, the Oakland real estate dealer, was on the stand on Wednesday morning in the hearing of Judge Cabanis before Police Judge Cabanis in the hearing of Judge Cabanis. He said that he first heard of the forgeries when his checks and bank book were sent him from the bank on December 11st to check up. That he had heard nothing from the bank people up to that time of forged checks, but when he found some that he repudiated he notified them. It did not occur to him that the endorsement of M. Lawrence on the \$100 check which he had given Maude Lawrence and the same endorsement on the checks which he called forgeries indicated by whom the forgeries had been perpetrated. He denied having given the defendant any other than the \$100 check or that he had ever visited her, though admitting that she was drinking with him and a party of friends at the Oberon Cafe in December, and that the scene lasted until 2 o'clock in the morning, when they all went on an automobile ride to a roadhouse near Golden Gate Park, returning about three hours later. He frequently bought the protection of the chair, and in that way escaped any extended questioning as to their past.

The defendant testified that Layman gave her a check for \$50 in a box in the Bay State restaurant, writing it while with her, that the \$100 check was given to her when they sat in the same seat of the automobile after the drinking bout at the Oberon, and that the check for \$100, on which the forgery charge is based, was written by him in her room at an upstairs hotel, when he had come to borrow \$40, and holding she had nothing but \$100 bills gave her the check in exchange for one of them. He had been her only support while she had rooms over Barnum's restaurant, in Oakland, and at A Mon Chateau, at Piedmont, according to her testimony, and that she had been with him for a short time in Chicago.

On cross-examination she was unshaken, and was still on the stand when further hearing was continued until Saturday morning.

AGREED IN BOTKIN CASE, BUT DISAGREE IN THIS

HANDWRITING EXPERT AMES TESTIFYING IN THE LAYMANCE FORGERY CASE.



EXPERTS AMES AND KYTKA VARY IN CHECK CASE

The Former Pronounces Layman's Signature Forgery, While Latter Declares It Genuine--Complications Likely.

In the case of Miss Maud Lawrence, alias Mrs. H. B. Lombard, alias Mrs. Maud Scott, accused of forging the name of J. W. Layman on a \$100 check, Daniel T. Ames, the handwriting expert, testified yesterday before Police Judge Cabanis that the signature of Layman was a forgery.

At a previous hearing of the case, Theodore Kytko, another handwriting expert, testified that the signature was genuine.

This glaring conflict of testimony is expected to make serious trouble for the State upon the second trial of Mrs. Cordella Botkin, charged with the murder of Mrs. Elizabeth Dunning.

In the Botkin case both Ames and Kytko were witnesses for the State upon the first trial. Both of them testified that Mrs. Botkin wrote the address on the box of poisoned candy that was sent through the mails from this city to Dover, Del., and then eaten with fatal effect by Mrs. Dunning and her sister. If they repeat their testimony upon the second trial, the defense may ask them to explain why they agree when both are employed by the State and disagree when employed by opposing interests. In the Lawrence case Kytko was called by Judge Cabanis and testified as the court's witness without hope of immediate reward. Ames was called by Layman.

After Ames had concluded his testimony, Layman was recalled for further cross-examination. In reply to questions put by Attorney O'Connor, Layman denied that he had ever been very friendly with Maud Lawrence; that he had ever paid for her support, and that he had ever maintained her at the Palmer House in Chicago.

Attorney Frank P. Kelly, who appeared as special prosecutor, said that he had several other witnesses and asked for a postponement of the hearing. By consent the matter was continued until tomorrow at 11 o'clock.

Handwritten note: Layman gave her a check for \$50 in a box in the Bay State restaurant, writing it while with her, that the \$100 check was given to her when they sat in the same seat of the automobile after the drinking bout at the Oberon, and that the check for \$100, on which the forgery charge is based, was written by him in her room at an upstairs hotel, when he had come to borrow \$40, and holding she had nothing but \$100 bills gave her the check in exchange for one of them.

COURT HOLDS THE REALTY DEALER SIGNED CHECKS



J. Walter Laymance.

The Oakland man who caused the arrest of Maud Lawrence on a charge of forgery, will probably be made defendant in a civil action for false imprisonment.

Walter Laymance, the Prominent Oaklander, Fails to Sustain Forgery Charge Against Maud Lawrence.

Judge Webster of the police court this morning dismissed the charge of forgery made against Miss Maud Lawrence in behalf of J. Walter Laymance, the real estate dealer from Oakland, and declared that Laymance wrote the checks in his own handwriting.

This action was taken by the court at the conclusion of the examination of Miss Lawrence, who could not be shaken in her testimony and detailed time and again for Laymance's attorney the circumstances under which she received four checks from Laymance in the course of a few days, for \$10, \$5 and two for \$10 each.

Says She Purchased Laymance.

Frank Kelly Laymance's attorney, made a speech to which with great dramatic effect he detailed that the defendant had been lousing his client, who was doing his best to keep away from her. Her story has been to the contrary and that she did not go anywhere except when invited by Laymance. She has been back from the East since the middle of December, after a three years absence. Before that time, as Mrs. Scott she was well known to all Oakland because of her relations with Laymance.

During the course of his decision Judge Webster accidentally used the word "perjury." Attorney Kelly corrected him, saying the Judge meant "forgery."

"Yes, because the perjury is on the other side," remarked Thomas O'Connor, who is the attorney for Miss Lawrence.

"I am reminded by Mr. Kelly that it is my duty to tell the truth by the way," said Judge Webster.

"But to ascertain whether there is probable cause to believe the defendant guilty of the charge of forgery. Without going into details, if this is a forgery, as charged, then it is one of the cleverest forgeries ever perpetrated. The similarity between the signature and body of the disputed check and that of the admittedly genuine is so striking that anyone looking at them without bias could not but feel that the hand that wrote one wrote the other."

Only Used Different Pens.

"And that view is not altered by the circumstance that the one difference which I noted between the papers was that the disputed check is written more heavily—the hand was pressed more heavily on the paper when it was written. The last was probably written with a comparative, by blunt-pointed pen and a sharper-pointed pen was used on the admittedly genuine check. The comparatively trivial variances which are here and there to be discerned in the placing in some instances of a terminal line and a dash. That is not relevant because found in the genuine check."

"Expert Ames said Mr. Laymance wrote with what he called a 'vacillating hand,' which he afterward explained to mean a variable hand—that he did not write alike."

The Judge stated that his own convictions were strengthened by the testimony of Expert Nyka, who was a disinterested witness. He said he would not go into the issue of facts, as there was no occasion for extensive comment, because no good would be served.

WOMAN DENIES THAT SHE FORGED CHECKS

MRS. H. H. LAMBERT, ALIAS MRS. MAUD SCOTT, ALIAS MAUD LAWRENCE, ARRESTED FOR FORGERY.



DECLARES SHE WAS PRESENTED WITH MONEY

Maud Scott, or Maud Lambert, as Sometimes Known, Says J. W. Laymance, the Realty Dealer, Signed Vouchers.

Surrounded by the walls and wardens of the City Prison yesterday afternoon Mrs. Maud Scott narrated the events that have led to her arrest for forging the name of J. W. Laymance to checks amounting to \$260. Laymance is a real estate man of 622 Market street and resides in Oakland. Mrs. Scott appears on the prison book as Maud Lawrence. She has also appeared in public as Maud Lambert.

For passing checks which she asserts came rightfully into her control, Mrs. Scott has found herself accompanied by Pinkerton detectives and brought to custody by the plain-clothes men of the city police. The man who denies having signed his name to the disputed checks is, she declares, the father of her young daughter. Laymance once supported her during a period of three years, and now has disclaimed his signature and caused her to drink from the prison cup—all for the sake of a few hundred dollars' worth of paper.

"He signed them," said Mrs. Scott, "while he was drunk. Walter and I were friends for three years. During that time he paid my expenses at Barnum's, a well-known restaurant in Oakland, also at Piedmont Springs. And here I am now, and very likely will have to stay over night, when \$3,000 bonds or \$1,500 cash would take me out. But I'll make somebody worry as soon as I get free."

The formal complaint against Mrs. Scott was made by James H. Swift, an officer of the Columbian Banking Company. The checks were drawn upon and cashed at that institution. The warrant was issued on behalf of one of the hundred-dollar checks and served by Detective Ed Gibson on the accused woman at her apartment in the Bay State House, Stockton street.

LAYMANCE DENIES SIGNATURE.

The disputed checks on the Columbian Banking Company were drawn within the last four weeks to the sum of \$50, \$10, \$100 and \$100. Yesterday, upon presenting the last check Mrs. Scott was informed that Laymance had repudiated his signature to the other three.

With rapid voice and assured the imprisoned woman denied the charges, she claims the money was given her as of right for the support of herself and child. The period of which she speaks as having been friendly with Laymance was for three years prior to that many years ago. Referring to the events of that time, Mrs. Scott said: "These matters were well known by most of the society folk of Oakland and finally caused a separation between Walter (Mr. Laymance) and his wife."

"As for myself I went to New York about that time—three years ago. I have been back in San Francisco a few weeks, soon after my return here I met Mr. Laymance again. He visited me at the Bay State. About two weeks before Christmas we were dining in one of the private rooms of the restaurant in that house. Walter was somewhat overcharged with liquor. He wrote me a check then for \$50, which I cashed. That same night we were again together. There were with us a man

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"I am reminded by Mr. Kelly that it is my duty not to let the issue be the reasonable doubt theory," said Judge McIntire.

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"For a day or two after that I was from Walter. The day before yesterday I telephoned him and found he was in the city. He said he would call on me at 10 O'Clock. He said he would call on me at 10 O'Clock. He said he would call on me at 10 O'Clock."

Jan 26 1904

WON BIG MONEY ON HIS HOME-MADE TICKET

E. F. Holmes Secures \$7,500 From Louis Metzger, Lottery Man, and Boldly Explains How He Managed to Do It.

Louis Metzger, the lottery man, was defrauded out of \$7,000 last Friday on a lottery ticket by a man named E. F. Holmes, who says his home is in St. Louis and admits that he came out here for the purpose of trying to get money from Metzger by means of a "ringer" ticket.

Holmes says he is glad he succeeded and does not hesitate to assert that he has done no act for which either the police or Metzger can proceed against him.

In last week's drawing the number 4632 won the capital prize, which in the Metzger concern amounts to \$7,500. All of Metzger's tickets are printed in St. Louis.

Holmes evidently has a confederate in the St. Louis establishment, for he brought out here a number of the tickets. The tickets, however, did not have any numbers printed on them.

Metzger's tickets are numbered on the same plan as those of a company in Honduras, and he pays according to the drawings of that company. The numbers drawing big prizes are wired him immediately. Holmes got a telegram about the number calling for the capital prize almost as soon as Metzger did last Wednesday.

Holmes brought out from St. Louis a machine with which to stamp numbers on his blank lottery tickets. He stamped the number mentioned on one of the tickets and made it look exactly like a Metzger ticket in every detail. This machine is said to have cost Holmes \$500, and it took him two years to get it. After he had properly stamped the ticket he presented it, and Metzger cashed it by means of his check on the Anglo-California Bank last Friday morning.

USED INNOCENT PARTY.

Holmes used an innocent party to cash the ticket. On his way out from St. Louis he met on the train Herman Schubach, who was coming to the coast for his health. Holmes, who is a good dresser, of pleasing manners and with good looks, soon made friends with Schubach. They spent several days together in Seattle and Portland and reached here about a week ago. Soon after their arrival here Holmes suggested they buy half a dozen lottery tickets and divide whatever the tickets might win in the next drawing. Schubach agreed, and they got eight tickets.

Last Thursday after Holmes had got a telegram about the winning number and had stamped it on one of his bogus tickets he met Schubach and casually remarked: "Let me see those tickets of yours."

While looking at the eight tickets Holmes exchanged one for his "ringer" ticket and handed them back to Schubach. The next day when the latter saw in the papers that one of the tickets called for \$7,500 he was one of the happiest fellows to town.

He had a letter of introduction from his family in St. Louis to A. Ollinger, the ticket broker, and he called on Ollinger and informed him of his good luck. An hour later Schubach had met Holmes, and they called at Metzger's office to get the check mentioned. As soon as they had gone Metzger telephoned the Anglo-California bank not to cash the check. The check was in the name of Schubach, and he called on Ollinger to identify him at the bank. Ollinger took him to the Crocker-Woolworth Bank and identified him because of his letter of introduction from St. Louis. Holmes took a draft on New York for \$2,000 and Schubach one for \$5,500. The other \$2,500 was divided in cash, so that each got half of \$7,500.

IDENTIFICATION CORRECT.

Later in the day the Crocker-Woolworth bank notified Ollinger of the refusal of the Anglo-California Bank to pay the check and that it would hold him responsible. Ollinger insisted that he had identified the right man to whom the check was payable and that his responsibility ended there. In a conference that followed Metzger made the surprising admission that the genuine ticket calling for the capital prize had been cashed before Schubach and Holmes called with their ticket. He wanted it very badly to find out its source. Instead of paying cash he gave a check, intending to stop the payment, as he subsequently did.

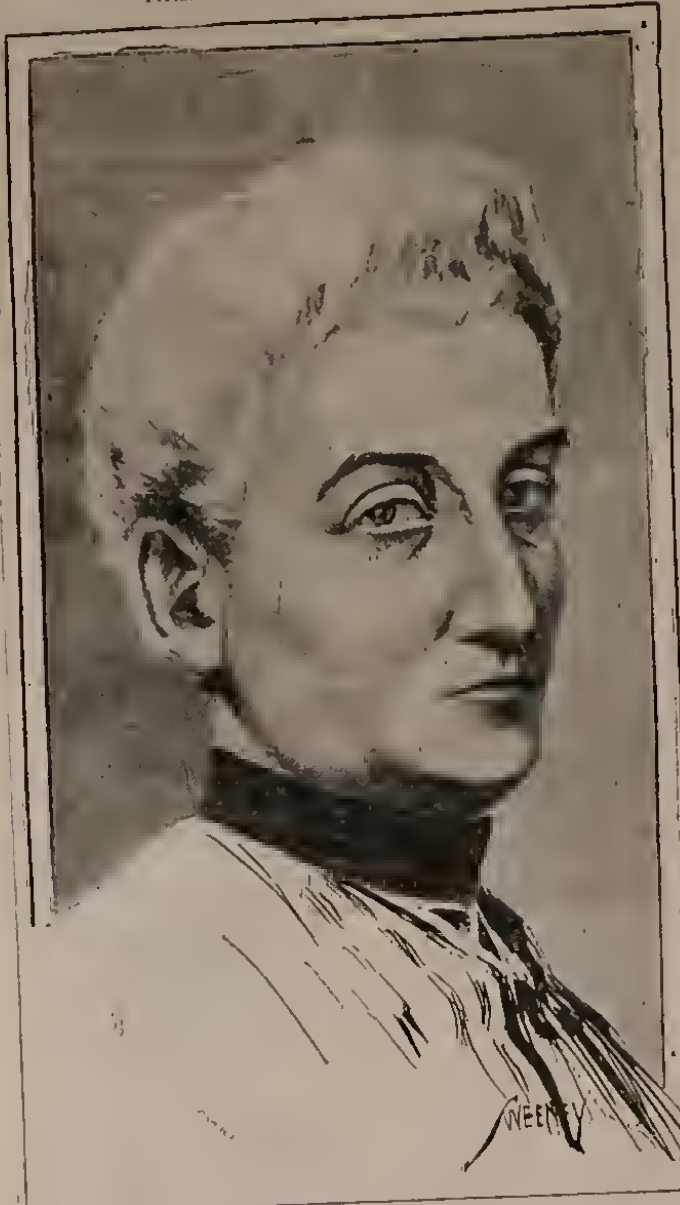
Metzger is now willing to lose the \$2,500 in cash if he can get back the \$2,000 and \$3,000 drafts. Holmes refuses to give up his \$2,000 draft and has so told Metzger and the police. Schubach is in Los Angeles, and Ollinger has wired him that he must come back and return to Metzger the \$2,000 draft and the cash he got in the division. Ollinger says Schubach will not be willing to do so when he arrives to-day and adds how Holmes used him as a tool.

Metzger will have to honor his check for \$7,500 that was cashed by the Crocker-Woolworth Bank.

And Holmes is still in town.

FEARS LOSS OF FARM AND TAKES HER LIFE

MRS. LAVINIA JOHNSON, SUICIDE.



Mrs. Lavinia M. Johnson Asphyxiates Herself Under Mistaken Notion of Financial Danger.

Mrs. Lavinia M. Johnson of Lawrence, Santa Clara county, was found dead early yesterday morning at the residence of Mr. and Mrs. William A. Deane, 340 Twenty-third avenue, Richmond District. Gas coming from two jets had been the cause of death, and the coroner declares that Mrs. Johnson committed suicide, as no accident theory could be maintained with the gas issuing from two jets.

The cause of the suicide is supposed to be the woman's fear of losing her home ranch at Lawrence, which consisted of eighty-five acres of well cultivated prime orchards. She had been worrying about business troubles which threatened to involve loss of the ranch.

Mrs. Johnson was a widow of William R. A. Johnson, who had been a deputy county clerk during the administration of County Clerk Deane, and at that time had charge of the filing of complaints. Mr. Johnson was in office from 1899 up to the time of his death, which occurred more than a year ago. Formerly he worked for the Pacific Mail Steamship Company, but he was not a captain, although he was familiarly accorded that title.

Mrs. Johnson, who was a woman of about fifty-eight years, with no children, came to San Francisco four weeks ago to visit Mr. and Mrs. Deane. She brooded somewhat over her business troubles and said she was afraid of losing the ranch, but she said nothing definite about the matter, and her

friends did not know whether her property was in any immediate danger.

"She was very reticent," said Mr. Deane yesterday, "and she told us nothing of her affairs except that she was afraid she would eventually have to lose the ranch. I do not know whether there was a threat of foreclosing the mortgage or what was the matter, for she did not go into any particulars. Last night she went to bed about 10 o'clock, as usual, and she seemed to be in good spirits then. She and my wife had spent the evening together."

"This morning at 7:30 Mrs. Walters, my wife's mother, and gas issuing from Mrs. Johnson's room. She opened the door and found Mrs. Johnson lying in the bed apparently lifeless. Then she called Mrs. Deane, who rushed into the room and turned off the gas. Mrs. Deane called me, and I did all in my power to resuscitate Mrs. Johnson while Dr. Niemeyer and another physician who had been summoned were on the way. The doctors declared Mrs. Johnson dead, and then we notified the coroner, who came and declared the death a case of suicide."

Lying upon Mrs. Johnson's bed, closed, was a copy of the Rebecca Harding Davis novel, "Frances Waldeau," and the woman had evidently read a portion of that book before she retired.

Mrs. Johnson's only known relatives are a brother, W. H. Boser of Philadelphia, and a sister, Mrs. Jacobson of Washington, D. C. The funeral is to be held to-morrow from the undertaking parlors of Porter & White.

WOMAN STOLE TICKETS FOR HOLMES

Mrs. Mamie Patton Tells Police How She Took Lottery Blank From the Place Where She Worked for Holmes to Print.

E. F. Holmes, who by means of a "ringer" ticket, got the capital prize of \$7,500 from Louis Metzger's lottery company last week, full details of which affair were published in "The Examiner" of yesterday, had a woman confederate in his successful plot. Her name is Mrs. Mamie Patton, formerly of Buffalo and St. Louis. She came on here ahead of Holmes to help him carry out his scheme.

Holmes refused to give her what she considered her share of the money; she also ascertained that he intended to desert her. She therefore has informed Metzger and Captain of Detectives Martin all about the affair and how Holmes and herself, at his instigation, planned it. This information she gave last Monday night.

Early yesterday morning Holmes left for the East on the Santa Fe limited train. At the request of Metzger, Judge Coolan in the before noon yesterday issued a warrant for the arrest of Holmes on the charge of grand larceny. Later in the day Holmes was arrested on the Santa Fe train and brought back here.

Herman Schubach of St. Louis, who came out here with letters of introduction to A. Ollinger, the ticket broker, was arrested yesterday for participation in the scheme with Holmes. He is also charged with grand larceny. Last night he was released on \$10,000 bond furnished by a security company on the telegraph order of his family in St. Louis. Schubach was used as a tool by Holmes and got half of the \$7,500. He then left for Los Angeles. When Ollinger found out that the ticket winning the money was a fraudulent one he wired Schubach to come back here and give up his share of the money.

Schubach on his return here declined to do so on the ground that he had done no wrong in the matter and was entitled to keep the money he had obtained on account of the lottery ticket. He says as a further reason that he had wired to the young lady in St. Louis to whom he is engaged to have the engagement announced. She has already arranged to make the announcement and he says without the money that he now has he can't marry her.

WILLING TO COMPROMISE.

Holmes saw Schubach just before he left on the Santa Fe limited train and told Schubach that he would be very foolish to give back his share of the \$7,500. Metzger then made a proposition to both men that he would drop the whole matter if they each returned to him \$3,000, saying he was willing to pay the other \$3,500 for the experience he had gained since the drawing of the capital prize in his lottery last week. Both men refused to compromise with him. Holmes immediately started East, with the result mentioned. William Schubach was arrested and in jail. Ollinger refused to have anything more to do with Schubach on the ground that after having become acquainted with the facts of Holmes' scheme to defraud the lottery company he refused to give up the share of the money he had gained with Holmes. Ollinger sent a wire to that effect to his folks in St. Louis and declined to go on his bond to get him out of jail.

According to the Patton woman, Holmes induced her to run away from her husband in Buffalo last September. She went with him to St. Louis. She has worked for a number of years in large printing and lithographing establishments, particularly those which print lottery, railroad and other kind of tickets. Her husband is in that line of business in a small way in Buffalo, who told Captain Martin yesterday. She also told him that Holmes, after they reached St. Louis, induced her to get a position in the Great Lithographic establishment, corner Twenty-first street and Morgan avenue, St. Louis. This is the place where Metzger's lottery tickets and the tickets of a large number of other lotteries in the country are printed.

She said the first week she worked there she got \$1 as her wages. A week or two later she was given a small increase in wages and put in the room where the lottery tickets are printed. She had been there only a few days, according to her story to Captain Martin, when she was able to extract from files of printed tickets of the Metzger company before the numbers had been stamped on them a dozen or more. Three or four days later she took ten or twenty more. Later on she was able to get fifty or sixty of these tickets for the drawings of December last, and January, February, March and April next. After she had succeeded in getting enough tickets to easily Holmes, he told her to come on to the Coast and wait until such time as he thought it advisable to come here himself.

COSTLY MISTAKE.

The mistake with which Holmes was trapped the number 4632 was made by Mrs. Patton. She had been told by Holmes to go to the office of the METZGER MEDICAL CO., 1144 Broadway, and get a box of medicine sent free. She was to be paid for the medicine. When you should be means disordered nerves, which will lead to nervousness, which will lead to nervousness. When you should be means disordered nerves, which will lead to nervousness, which will lead to nervousness.

Not Hungry

334-342 POST ST.

T. BRILLIANT FURNITURE CO.

\$12.00

From Louis Metzger, Lottery Man, and Boldly Explains How He Managed to Do It.

Louis Metzger, the lottery man, was delirious out of \$7,500 last Friday on a lottery ticket by a man named F. L. Holmes, who says his home is in St. Louis and admits that he came out here for the purpose of trying to get money from Metzger by means of a "ringer" ticket.

Holmes says he is glad he succeeded and does not hesitate to assert that he has done no act for which either the police or Metzger can proceed against him.

In last week's drawing the number 4533 won the capital prize, which in the Metzger concern amounts to \$7,500. All of Metzger's tickets are printed in St. Louis.

Holmes evidently has a confederate in the St. Louis establishment, for he brought out here a number of the tickets. The tickets, however, did not have any numbers printed on them.

Metzger's tickets are numbered on the same plan as those of a company in Honduras, and he pays according to the drawings of that company. The numbers drawing his prizes are wired him immediately. Holmes got a telegram about the number calling for the capital prize almost as soon as Metzger did last Wednesday.

Holmes brought out from St. Louis a machine with which to stamp numbers on his blank lottery tickets. He stamped the number mentioned on one of the tickets and made it look exactly like a Metzger ticket in every detail. This machine is said to have cost Holmes \$500, and it took him two years to get it. After he had properly stamped the ticket he presented it, and Metzger asked it by means of his check on the Anglo-California Bank last Friday morning.

THE INNOCENT PARTY.

Holmes used an innocent party to cash the ticket. On his way out from St. Louis he met on the train Herman Schubach, who was coming to the coast for his health. Holmes, who is a good dresser, of pleasing manners and with good looks, soon made friends with Schubach. They spent several days together in Seattle and Portland and reached here about a week ago. Soon after their arrival here Holmes suggested they buy half a dozen lottery tickets and divide whatever the tickets might win in the next drawing. Schubach agreed, and they got eight tickets.

On Thursday after Holmes had got a telegram about the winning number and had stamped it on one of his bogus tickets he met Schubach and casually remarked:

"Let me see those tickets you bought, Schubach. The numbers will be printed in tomorrow, and I would like to take them down in my book in case I see the newspapers in the morning before you do."

While looking at the eight tickets Holmes exchanged one for his "ringer" ticket and handed them back to Schubach. The next day when the latter saw in the paper that one of the tickets called for \$7,500 he was one of the happiest fellows in town.

He had a letter of introduction from his family in St. Louis to A. Ottlinger, the ticket broker, and he ruled on Ottlinger and informed him of his good luck. An hour later Schubach had met Holmes, and they called on Metzger's office to get the check mentioned. As soon as they had gone Metzger telephoned the Anglo-California bank not to cash the check. The check was in the name of Schubach, and he called on Ottlinger to identify him at the bank. Ottlinger took him to the Crocker-Woolworth bank and identified him because of his letter of introduction from St. Louis. Holmes took a draft on New York for \$2,000 and Schubach one for \$5,000. The other \$7,500 was divided in cash, so that each got half of \$7,500.

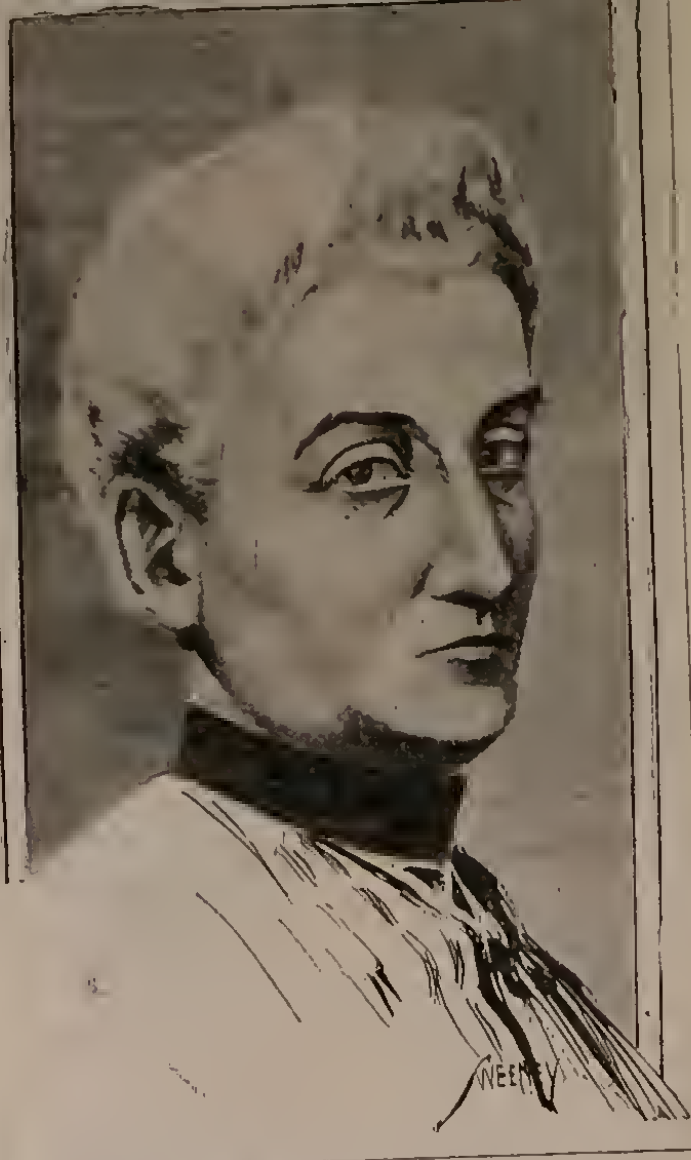
IDENTIFICATION.

Later in the day the Crocker-Woolworth bank notified Ottlinger of the refusal of the Anglo-California Bank to pay the check and that it would hold him responsible. Ottlinger insisted that he had identified the right man to whom the check was payable, and that his responsibility ended there. In a conference that followed Metzger made the surprising admission that the genuine ticket calling for the capital prize had been cashed before Schubach and Holmes called with their ticket. He warned it very badly to find out its source. Instead of paying cash he gave a check, intending to stop the payment, as he subsequently did.

Metzger is now willing to lose the \$2,000 to cash if he can get back the \$2,000 and \$7,000 drafts. Holmes refuses to give up his \$2,000 draft and has told Metzger and the police. Schubach is in Los Angeles, and Ottlinger has wired him that he must come back and return to Metzger the \$2,000 draft and the cash he got in the division. Ottlinger says Schubach will not hesitate to do so when he arrives to-day and finds how Holmes used him as a tool.

Metzger will have to honor his check for \$7,500 that was cashed by the Crocker-Woolworth Bank.

And Holmes is still in town.



Mrs. Lavinia M. Johnson Asphyxiates Herself Under Mistaken Notion of Financial Danger.

Mrs. Lavinia M. Johnson of Lawrence, Santa Clara county, was found dead early yesterday morning at the residence of Mr. and Mrs. William A. Deane, 340 Twenty-third avenue, Richmond District. Gas flowing from two jets had been the cause of death, and the coroner declares that Mrs. Johnson committed suicide, as no accidental theory could be maintained with the gas flowing from two jets.

The cause of the suicide is supposed to be the woman's fear of losing her home ranch at Lawrence, which consisted of eighty-five acres of well cultivated prune orchards. She had been worrying about business troubles which threatened to involve loss of the ranch.

Mrs. Johnson was a widow of William R. A. Johnson, who had been a deputy county clerk during the administration of County Clerk Deane, and at that time had charge of the filing of complaints. Mr. Johnson was in office from 1899 up to the time of his death, which occurred more than a year ago. Formerly he worked for the Pacific Mail Steamship Company, but he was not a captain, although he was familiarly accorded that title.

Mrs. Johnson, who was a woman of about fifty-eight years, with no children, came to San Francisco four weeks ago to visit Mr. and Mrs. Deane. She brooded somewhat over her business troubles and said she was afraid of losing the ranch, but she said nothing definite about the matter, and her

friends did not know whether her property was in any immediate danger.

"She was very reticent," said Mr. Deane yesterday, "and she told us nothing of her affairs except that she was afraid she would eventually have to lose the ranch. I do not know whether there was a threat of foreclosing the mortgage or what was the matter, but she did not go into any particulars. Last night she went to bed about 10 o'clock, as usual, and she seemed to be in good spirits then. She and my wife had spent the evening together."

"This morning at 7:30 Mrs. Waters, my wife's mother, smelt gas issuing from Mrs. Johnson's room. She opened the door and found Mrs. Johnson lying in the bed apparently lifeless. Then she called Mrs. Deane, who rushed into the room and turned off the gas. Mrs. Deane called two, and I did all in my power to resuscitate Mrs. Johnson while Dr. Niemeyer and another physician who had been summoned were on the way. The doctors declared Mrs. Johnson dead, and then we notified the coroner, who came and declared the death a case of suicide."

Lying upon Mrs. Johnson's bed, closed, was a copy of the Rebecca Harding Davis novel, "Francis Waldeau," and the woman had evidently read a portion of that book before she retired.

Mrs. Johnson's only known relatives are a brother, W. H. Banner of Philadelphia, and a sister, Mrs. Jacobson of Washington, D. C. The funeral is to be held to-morrow from the undertaking parlors of Porter & White.

name to Mrs. Mamie Patton, formerly of St. Paul and St. Louis. She came on here ahead of Holmes to help him carry out his scheme.

Holmes refused to give her what she considered her share of the money; she also ascertained that he intended to desert her. She therefore has informed Metzger and Captain of Detectives Martlo all about the affair and how Holmes and herself, at his suggestion, planned it. This information was given last Monday night.

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Schubach on his return here declined to do so on the ground that he had done no wrong in the matter and was entitled to keep the money he had obtained on account of the lottery ticket. He gave as a further reason that he had wired to the young lady in St. Louis to whom he is engaged to have the engagement announced. She has already arranged to make the announcement and he says without the money that he now has he can't marry her.

WILLING TO COMPROMISE.

Holmes saw Schubach just before he (Holmes) took the Santa Fe limited train and he told Schubach that he would be very foolish to give back his share of the \$7,500. Metzger then made a proposition to both men that he would drop the whole matter if they each returned to him \$2,000, saying he was willing to pay the other \$3,500 for the experience he had gained since the drawing of the capital prize in his lottery last week. Both men refused to compromise with him. Holmes immediately attended to his share of the money and in jail. Ottlinger refused to have anything more to do with Schubach on the ground that after having become acquainted with the facts of Holmes' scheme in defrauding the lottery company he refused to give up the share of the money he had gained with Holmes. Ottlinger sent a wire to that effect to his folks in St. Louis and declined to go on his bond to get him out of jail.

According to the Patton woman, Holmes induced her to run away from her husband in Buffalo last September. She went with him to St. Louis. She has worked for a number of years in large printing and lithographing establishments, particularly those which print lottery, railroad and other kinds of tickets. Her husband is in that line of business in a small way in Buffalo, she told Captain Martlo yesterday. She also told him that Holmes, after they reached St. Louis, helped her to get a position in the East lithographic establishment, corner Twenty-first street and Morgan avenue, St. Louis. This is the place where Metzger's lottery tickets and the tickets of a large number of other lotteries in the country are printed.

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COSTLY MACHINES.

The machine with which Holmes stamped the number on the ticket that Metzger thought was the genuine number winning his capital prize is an expensive piece of mechanism. It is said to have cost \$600. Holmes brought that machine on here, but there appears to be nobody who has seen it or has suspicion as to where he kept it. Mrs. Patton does not say that she assisted Holmes to steal this machine from her husband's place in Buffalo, but the police have a suspicion that Holmes obtained it in some such manner. The Patton woman, on arriving here four or five weeks ago was without funds and she has informed the police that she did several odd jobs to keep herself from starving.

Holmes did not advise her of his arrival here, nor did he make any attempt to locate her. She happened by accident to meet him on Market street last Friday after he had obtained his half of the \$7,500 lottery prize. They had a quarrel on the street and she attempted to scratch out his eyes. He declared that he had obtained any money from a lottery company as yet. He gave her \$50 and said that he expected to work his scheme against Metzger's company the next day.

A man who had been shadowing Holmes talked to the woman after he had left her. This man told her that Holmes had got his share of the capital prize and had arranged to go East on the Santa Fe the following Monday, which was yesterday. Mrs. Patton says she tried in vain to locate Holmes in order to get revenge. She did not say what she intended to do.

Metzger's agents were soon informed about her story and in the presence of the police she told all about Holmes' scheme and the part she had played in it.

She says she never heard of the man Schubach before.

Captain Martlo has also been told by the woman that Holmes had been unsuccessful in his scheme against lottery companies in Texas.

ST. LOUIS, January 26.—W. W. Ramsey, secretary of the August Gail Bank Note and Lithographing Company, said to-night that he was unable to say whether Holmes or Mrs. Patton had ever been employed by his company. The tickets are by the Little Louisiana Lottery are made by this company. Mr. Ramsey showed great reluctance to discuss the matter.

CHEMIST DISCOVERS BLOOD ON LEON SOEDER'S DAGGER

Professor Thomas Price Gives Important Testimony
in the Blaise Murder Trial—Prosecuting Attorney
Closes Case for People and Defense Opens To-Day



handwriting of the various letters and documents signed by Soeder and introduced as evidence was identical with the admitted handwriting of the accused.

Detective Thomas Gibson was placed on the stand at the close of the case and rehearsed his conversation with Soeder after his arrest. The testimony developed nothing new. Soeder was questioned in regard to the complaint charging Soeder with murder which he swore to. Attorney Hall made an objection but was overruled. Soeder also testified.

Professor Thomas Price, an analytical chemist of 626 Sacramento street, testified before Judge Cabanis yesterday that he discovered blood stains on the knife found by Detective Thomas Gibson in the room of Leon Soeder, charged with the murder of Joseph Blaise. Traces of blood were found on the knife where the blade joins the handle, and also in that portion of the handle that holds the blade when the knife is closed.

When Detective Gibson searched the room of Soeder on the day following the murder of Blaise he found a large, one-bladed knife of the dagger pattern. There were no blood stains visible to the naked eye upon it. The knife was given to Professor Price, who made a chemical examination and found that blood still adhered to the weapon. He did not make a test to ascertain whether the blood was that of a human being, as he was not instructed to do so by the police. This evidence, if Professor Price ascertains that the blood is human, will be of the greatest value to the prosecution.

Soeder was questioned by the police at the time of his arrest as to where he secured the knife and what he used it for. He said he purchased the knife in France last fall and that he used it merely as a pocket-knife. He was asked if he had ever cut any meat or anything with it that might have left traces of blood on it. Soeder replied that he had not.

KNIFE IS EXAMINED.

After eliciting this information from him the police sent the knife to Professor Price, who examined it for traces of blood. Professor Price used what is known as the Gualcum test in his examination of the weapon for traces of blood. He stated that had the clothes Soeder took to the cleaners been washed in warm water there would in all probability have been some trace of blood in the water if there was any on the clothes, but had they been subjected to a scouring in cold water traces of blood would have been hard to find.

Edward H. Osborne was placed on

note for \$242.34 taken from Soeder and Blaise for the guarantee of the payment of the galleys on his delivery was signed by Joseph Blaise and indorsed by Leon Soeder. Parker identified the signature of Soeder on the note as being identical with that on the letter received by him (Parker) on the morning of January 11.

LETTER IS DESTROYED.

Parker could not recall the exact words in the letter written to him by Soeder, which he found under his door on the morning of the date mentioned, but stated that it was an inquiry regarding the delivery of the policy. He said he had destroyed the letter and the defense objected to Parker's testimony on that matter. The Court sustained the objection and ruled that the prosecution be required to show that the letter Parker claims he received and which was subsequently destroyed by him was actually written by Soeder.

Captain Martin was next placed on the stand and told of his visit to the scene of the murder and his subsequent examination of Soeder in his office. He said that Soeder told him that Blaise had \$200 in gold coin when they left France, which amount Blaise had drawn from a French bank. Soeder said he had paid all Blaise's expenses and fare and that the dead man had \$200 in gold on his person at the time of the murder. When Blaise left his home he came to America with Soeder with the understanding, Soeder said, that they would come to San Francisco and Blaise would remain in this city secure work and send for his family.

Martin detailed several conversations he had had with Soeder, in which the accused denied having a gray suit or a

PROF. THOMAS PRICE EXAMINING BLOOD STAINS ON LEON SOEDER'S KNIFE.

can to complain of the manner in which the police treated Soeder, but was informed that the Court could not assist him.

The prosecution completed its case yesterday afternoon and this morning at 10 o'clock the defense will open. The case will be submitted to-day and Soeder will, in all probability, be held to answer for trial in the Superior Court.

Assistant District Attorney Hanby holds that Soeder was not aware at the time of the murder of Blaise that the Actina and Hartford companies had rejected his applications for policies on the life of his brother-in-law. This contention established, the prosecution's theory of motive will be materially strengthened.

3
1603



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as signed by Soeder and Blaise
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cused.

Detective Thomas Gibson was placed
on the stand at the opening of the case
and related the facts of the case
with Soeder's arrest. The case was
devoted to the question of whether
Soeder was guilty of the murder of
Joseph Blaise. The case was
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the stand at the opening of the hear-
ing in the morning and completed his
testimony in regard to the insurance
policies. It did not vary materially
from that already published.

L. R. Parker, manager for the Har-
ford Life Insurance Company in this
city, testified that Osborne presented
to him an application for a life insur-
ance policy for \$5,000 on the life of
Joseph Blaise. He testified that the

note for \$242.34 taken from Soeder
and Blaise for the guarantee of the
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leaving him in possession of \$50.

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AMINING BLOOD STAINS
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MRS. BOTKIN MAY BE GIVEN FREEDOM BY THE COURT

JUDGE COOK SAYS HE MAY HAVE TO DISMISS HER

Unless the Trial Proceeds, He Declares, He Will Not Hold the Woman in Jail, and Byington Says He Cannot Go On

Mrs. Cornelia Botkin, held for over five years in the County Jail on the charge of poisoning Mrs. Downing of Wilmington, Del., with arsenic-laced candy sent through the mail, may walk from her prison quarters a free woman yet with her guilt of innocence for the crime over which a sentiment has ripened, still unproved. The second trial of Mrs. Botkin is set for the 14th of this month. If District Attorney Lewis Byington fails to produce the witnesses from Delaware who are necessary to the success of his prosecution, or if he fails to show excellent reasons for their absence, Judge Cook will order the case dismissed. Such an action would release the prisoner from the hands of the police, but would not remove her from the jeopardy of the law as she would have received no trial or sentence one way or the other.

Next Monday when the case comes into court Mr. Byington will ask for a continuance. All the witnesses from this locality have been subpoenaed, but the District Attorney does not yet know when the twelve witnesses needed from the East are to arrive in this city or even whether they can be induced to come. Negotiations have been in progress for some time between Byington and the Governor and Attorney General of Delaware with a view to arranging matters so that Delaware may stand some share of the burden of expense. So far the city of San Francisco has paid every cent of the unusually heavy costs, even though the community of Delaware is just as much interested in the conviction of Mrs. Botkin as any one in the West.

TOO MUCH DELAY.

An interval of five weeks will have elapsed between the beginning of the trial and the date on which it was set. This Judge Cook considers ample time to gather the witnesses whose testimony must be taken. The defense is ready and if the prosecution does not have its evidence on hand to present to the jury Judge Cook says he will grant the motion of the defense for a dismissal of the case.

Byington insists that Mrs. Botkin will never be allowed to leave this county or the jail of this county untied. Judge Cook says that if the case were dismissed she would be liable for trial again. Mrs. Botkin says that she has almost ceased to hope for vindication before the prejudiced public mind and would be satisfied with any means by which she might return to her mother.

Back of the final conviction or acquittal of Mrs. Botkin, however, lies the instigating question of expense. If the case is dismissed, as seems highly probable, it will be because the question of expense has delayed the prosecution in its efforts to get testimony which might have been supplied from a preliminary examination had there been one. If Mrs. Botkin is released from custody and never again tried it will be because the ubiquitous question of expense will militate against any attempt to secure a second indictment from the Grand Jury. So far in the proceedings expense has already figured as an important factor. The presence of the Eastern witnesses on this case is purely voluntary and this fact lends some weight to the demands of Dr. T. L. Wolf and one of the other two doctors who figure in the case that in addition to their expenses they be paid the modest sum of \$1,000 apiece for their time, although the law makes no provision for such a payment.

Judge Cook was emphatic in his statement of conditions yesterday.

"As the case has been set a number of weeks ago," he said, "there has been ample time to secure all the witnesses. I know that the defense is ready and that it will insist that the case go ahead. If the prosecution makes no legal showing for a continuance I will most certainly dismiss the case. That would make Mrs. Botkin a free woman after almost six years in jail, though she would be liable to trial at any time. There is considerable doubt, however, whether she would ever be tried again, as there would be patent difficulties both in the way of evidence and expense in procuring an indictment from the Grand Jury."

SIXTY DAYS THE LIMIT

"As far as I know, there have been no foreign subpoenas issued and no request for them made. Now, as two of the most important witnesses at the former trial, Pen-

MRS. BOTKIN, FROM HER LATEST PHOTOGRAPH.

PHOTO BY
MAYE
GALLERY



nington, the father of the murdered woman, and Captain Lees, are dead, it is most essential that all the witnesses in the case appear. If Byington asks for a continuance of the case and has sufficient reasons for so doing, according to law I cannot grant it for more than sixty days from the date on which the trial was set. That would be the limit of the continuance."

Mr. Byington does not believe the case will be dismissed and counters the possibility with the statement that Mrs. Botkin will never leave San Francisco untied. He said:

"This is one of the most important cases which has attracted the attention of the country and Mrs. Botkin must not and will not be permitted to go free without a trial. If the case were dismissed I would have her arrested again immediately, for she will not leave here while I have anything to do with it. I think an indictment could be secured from the Grand Jury without recourse to the Eastern witnesses. I feel certain that the woman will be convicted, for it will not be a difficult matter to supply the missing links of evidence caused by the death of two of the witnesses."

"I don't know when the witnesses will start from Delaware or whether they will arrive here by next Monday. I wrote concerning the matter over two weeks ago and expect an answer at any time. I shall have to ask for a continuance when the trial commences."

Mrs. Botkin did not seem much surprised by the news which she received, as she seems confident of acquittal in any event.

"My life has been so blighted," she said, "by my five years in this place that I will welcome any mode of going to my mother in her declining years. I once was determined to fight for vindication in the courts but perhaps not even an acquittal would vindicate me before the public. I simply want to go into seclusion with my mother. Somehow I must repay the debt of gratitude which I owe my attorneys, but at these rates of stage life are utterly false."

\$2,500,000 SET ASIDE FOR IRRIGATION PROJECT

WASHINGTON, February 6.—The Secretary of the Interior has approved the setting aside of \$2,500,000 of the reclamation fund for the irrigation project on the north side of the Shoshone river in the Big Horn basin of Wyoming provided that satisfactory rights to land and water can be secured.

This project provides for the construction of a dam and storage reservoir in Shoshone river and a canal leading in the canyon above Cody. It will provide water for approximately 50,000 acres on the north side of the river in Big Horn county.

EXPERT SAYS LOTTERY TICKET WAS FORGERY

Cashier Tells of Paying \$7,500, Which Was Divided by Men

The preliminary hearing of Herman S. Lubarb, accused of swindling Shlager & Frank in out of \$7,500 on an unauthorized lottery ticket, was resumed yesterday before Judge Cook.

J. H. Schuster, chief teller of the Bank of Woolworth Bank, testified that he had cashed the \$7,500 check paying the men \$1,000 in cash and Eastern drafts for the remainder, and that they divided the money before leaving the bank.

Handwriting expert Ryka declared the disputed ticket a forgery. The case was then continued to this morning.

FINDS WILLIAM KRATZ GUILTY OF FELONY.

William M. Kratz, who was charged with felony embezzlement, was found guilty by a jury sitting before Superior Judge Dunn yesterday. He will be sentenced on February 17th. He was a member of the firm of Donald Kratz Company, and on February 12th of last year left the town with a shortage in his account of \$16,342. He was arrested in Kansas City and brought to here. His defense was that the money was his own.

*Arrived
Feb 10 - 1904*

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1904

Thurman J. Davis

Normile
Feb 17-1904

George Taylor McInnelli was sentenced by Judge de Haven yesterday to a term of fifteen months in San Quentin and to pay a fine of \$100. McInnelli was convicted by a jury of taking the mails with intent to defraud. A motion for a new trial in the case was denied.

HOW TO DETECT FORGERIES

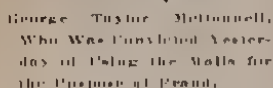
The last distinctive feature is the ink, which tends to be almost a requisite and the primary factor, at times, in making the work of the perforating machine, after filling in the hole with paper pulp, the tearing the strip of check or draft to the ink is a punishment, the first punch of a drafting-knife. The attention to the hand-writing itself is done by the use of machine-made, sometimes with water-colour and brush ink, too.

"The simplest way has been the use of blue ink of check or draft paper is first to use a paper devoid of all watermarks; the line on the check is the appear in the light eliminating another design printed with the least possible grey matter. Some European printers, however, do just enough gilding to the ink to make the line print out, but able to resist blotting. The moment a larger wish to raise the amount of the check and applies and is alkaline solution with the intent of neutralizing any portion of the writing, the first design loses rapidly and the solution will be able to imitate the first design satisfactorily. Any attempt to make the line closer, should be discarded by the light lens.

"Another way of raising the line for the larger ink by writing the body of the check with thick water-proof carbon ink. The ink may dry before the application of acid or at about midnoon and cannot be raised without destroying the figure.

Perforating machines are really an addition to the skilled labor in throwing paying a killing off their guard. In a recent case recently removed a perforated machine by fitting new line paper contained from the rest of the pack. The perforating machine a step of the process, and in that way killing is performed by it. With a round steel punch in boring holes in them the perforated character of the tobacco is easily attained. The machine is a way of detecting this margin is to hold a hole in it of the hole paper. It is not much smaller in shape of the paper, and it is usually removed with a little of the paper. It will show it itself in a case, or for the hole.

Notorious Criminal Convicted
in United States Court of
Having Illegally Used Mails.



Clay A. Shaley, a barber of Cantonwood, Shasta county, received such a letter, and, finding it unnumbered, and not having in the day past been involved in any matter, he turned the letter over to the postal authorities, and McDonald's arrest. John A. Shaley, P. C. Pope, a barber of Alturas, and William Stark of Garberville, Nev., were put upon the stand by the prosecution and told of receiving letters from Rev. Mr. Taggart.

The following day was a moment of great gratification to Federal officials. Powell's inspection of the "Hannibal" had worked on the case for many months. Secret Service Agent George W. Hazen made the arrest and he considers McDunnell one of the swiftest chasers in the world. "The man has no imagination," Powell says, "and he certainly has no heart to follow." He ridiculed the "Hannibal" and he has no doubt sought in prison. He ridiculed the "Hannibal" and he has no doubt sought in prison. He ridiculed the "Hannibal" and he has no doubt sought in prison.

George T. McDonnell Is Found Guilty of Using the Mails in Further Cunning Scheme

SEEKING FOR A LOOPHOLE

Ingenious Defense That the
Accused Was Engaged in a
Perfectly Legitimate Trade

Nathaniel's landing that United States District Judge de Haven made a very favorable charge, the jury returned a verdict of guilty yesterday against George T. McDonnell, who had been indicted for using the mails for the purpose of furthering a scheme to defraud. Bert Schlesinger, counsel for the prisoner, will move to have the verdict set aside on the ground that McDonnell gave full value for the money.

It was shown that McDonnell represented himself to be Rev. J. B. Taylor, pastor of the Church of the Redeemed, at the Emeryville race track, and as H. Epstein, purveyor of 331 Kearny street in this city, and offered to sell very valuable gold lockets set with diamonds for \$12.50 each. Two of the decoy letters that were read in court were as follows:

RICHMOND, Cal., July 20, 1901.
 Mr. William McKim, New York, N. Y.—Dear Sir:
 The enclosed pawn ticket is sent to you by way of restitution. The sender is at the point of death as the result of an accident. He wishes me to say that he once stole a sum of money from you, which he has now repaid, but that the difference between the value of the ticket and the amount it is placed for is considerably more than the sum stolen. He trusts that you will be satisfied in this way to reimburse yourself. Yours very truly,
 J. H. LOR,
 Pastor, Church of the Redeemed.

15 Elizabeth, Baltimore and Leeds, 233 Broadway
 street San Francisco, Cal., Aug. 15, 1891.
 My Mr. A. Huley, Polkmanwood, Shasta
 County, Cal.—Dear Sir: Your letter of the
 10th to which I have never heard of the mis-
 take, your inquiry about me and my friends
 The last time I left with me July 1st, 1891
 after the names of prisoners except upon the
 order of a court. To do so would be a breach
 of confidence, besides I have no acquaintance
 with them.
 If trouble concerning the population makes
 you hesitate to send by the parcel you may
 dismiss them. I hold myself responsible
 personally I would prefer to keep it, but
 I am sure I am less liable for much less
 trouble.

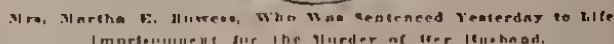
These letters were sent through the mails by McDonnell, and complaint being made to the postal authorities Post-office Inspector James O'Connell was detailed on the case.

Mr. Schiesinger proved by his jewelry that the lockets offered by McDonald were worth the \$12.50 each that he had been asked for them. The newspaper testified that the lockets were worth from ten to sixteen dollars each and that 33 per cent over and above the wholesale price was a fair profit on jewelry. To back up the testimony, the counsel cited a recent decision by Judge Grosscup of Illinois in the case of the United States against O'Neill, who had been charged with a similar offense. O'Neill sold diamond rings on his stall and represented through the stalls that they had been pawned with him by a lady in distress. It was shown that O'Neill had asked only a fair price for the rings, and Judge Grosscup instructed the jury to acquit. If they believed such to be the fact, notwithstanding the misrepresentation that had been made by the accused.

Judge McIlhenn instructed the jury that they should acquit the defendant unless they believed that the lockets were "of far less value" than the amount asked for them. The jury was out only half an hour.

Druggist etc
Feb 13 1904

IS SENTENCED TO
PRISON FOR LIFE



Mrs. Martha E. Bowers Maintains Stolid Demeanor When Judge Commits Her to San Quentin for Murder of Husband.

MANY told of a thick black veil hid the play of her features from the curious throng yesterday when Judge Cook sentenced Mrs. Martha E. Rogers to life imprisonment in San Quentin for the murder of her husband. This was presented at a Polansky-street drug store, as the prosecution later affirmed, by Mrs. Rogers herself, and furnished the means by which she was enabled to take everything with death that passed the sick man's lips.

Quentin for the murder of her husband, Martin L. Bonner, on August 5th last. Her form gave no reason through its number cards to indicate the portion of the year to be spent within the clasp of the gentle walls and not a sound escaped the lips which had sworn that she loved her husband and that they had spent their married life in family harmony. Equally apathetic was her sister, Mrs. Elizabeth P. Sutton, who was at first accused of purchasing the assault which caused the death of Bonner, and who sat beside her when judgment was pronounced.

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Mr. McMillan then told the story about the ransoming of the tickets alleged to be counterfeit, and at the conclusion of his testimony the case was continued to next Tuesday.

Woman Tells How Blank Tickets Were Purloined

MRS. MAMIE J. PATTON, WHO IS IMPLICATED IN THE ALLEGED BOGUS LOTTERY TICKET SCANDAL.



George T. Ballinger, captain of Company A of the California National Guard and former first lieutenant in the First California Volunteers, has been charged by his employer, President William Schroeder of the California Art Glass Works at 120 Post street, with embezzling the sum of \$4376.38. Schroeder swore in a warrant yesterday charging his one time trusted bookkeeper with felony embezzlement and Ballinger was arrested by Detective Coleman.

According to the story told by President Schroeder, Ballinger does not deny that he pilfered the company's funds. It is claimed that he attempted to make some sort of a settlement when confronted with the fact that his employers knew of his peculations and was about to order his arrest. Ballinger, it is alleged, offered to give his home at 461 Frederick street to square the amount of his thefts, and the matter was about to be hushed, when, it is said, Ballinger and Schroeder disagreed as to the amount of the peculations. Ballinger then told Schroeder to do whatever he wanted and, it is said, left the president in a rage.

The alleged attempt at settlement occurred Thursday afternoon and yesterday morning the warrant was issued. Ballinger's wife was seen at her home on Frederick street, and she hinted at jealousy as the cause of the issuance of a warrant for the arrest of her husband. She says that Schroeder is angry because her husband intended going into the art glass business for himself.

Ballinger has been with the California Art Glass Works for more than fifteen years, and was always regarded as an honest and reliable employee. All of the bookkeeping was intrusted to him and the accused man was allowed to keep them in any way he saw fit. A few weeks ago President Schroeder became suspicious on finding that the income of the firm was not as large as it should be from the amount of work done. An expert was put on the books and, it is claimed, a shortage of \$4000 found.

A few weeks ago Ballinger became interested in a company which purchased the art glass firm of Merrill & Sammann at 223 Tenth street. It is alleged by the police that Ballinger used a portion of the money pilfered from his employer in purchasing an interest in the glass works. The new firm was to be known as the Sierra Art Glass Works. It is also alleged that Ballinger paid in part for the home he bought shortly after his marriage two years ago with some of the money belonging to the California Art Glass Works.

George T. Ballinger served as first lieutenant of Company A of the First California Volunteers in the Philippines, and was recommended by General Otis for promotion to the rank of captain in the regular army for gallantry. When he returned from the war he resumed his position with the California Art Glass Works, where he was employed up to a few days ago. He is still captain of Company A of the State National Guard.

Ballinger seemed to lightly treat the charge that had been preferred against him. "They say that I am an embezzler, but they will have to prove it. I never took any of the funds of the California Art Glass Company and I am not afraid to face the charge," he said.

Ballinger did not remain in jail long. His bail, fixed by Judge Cabanias at \$10,000, was given by Colonel Thomas F. Barry and J. C. O'Connor.

Ballinger's friends cannot believe that he is guilty of the charge that has been made against him. "What would he want the money for, they all ask?" one of the accused man's most intimate friends hinted that Ballinger may have spent the money, if he took it, on his company in the National Guard.

He was passionately devoted to his military company, they say. Ballinger's denial of the theft is in direct contradiction to the statement made by Schroeder that Ballinger had agreed to make restitution for the amount stolen, but failed to do so.

President Schroeder attempted to have the warrant for Ballinger's arrest issued Thursday morning, but Judge Cabanias refused to issue it until Schroeder could show him some evidence of the accused man's guilt. Yesterday morning Schroeder appeared in court with the company's books and the expert who examined them. Then the warrant was issued.

It is doubtful whether the accused man's friends will allow him to be

FORMER VOLUNTEER OFFICER, WHO IS CHARGED WITH EMBEZZLEMENT.

Feb 13. 1904

Testifies in Alleged Lottery Counterfeit Case, and Denies She Informed on Holmes Because He Would Not Divide.

There were two notable features yesterday afternoon at the Herman Schubach hearing before Police Judge Conlan, when the alleged lottery counterfeit case was taken up. One was the testimony given by Mrs. Mamie J. Patton of St. Louis in the effect that she had obtained a lot of unnumbered lottery tickets and given them to E. F. Holmes, whose name has been prominent in the story about the alleged counterfeit, and the other was the testimony elicited from Hugh J. McGonigle, bank teller for Metzger & Franklin, in the effect that his firm was in reality the Little Louisiana Lottery Company and that it carried on a general lottery business at its office, 42 Second street.

Mrs. Patton testified that she was the wife of a lithographer in Buffalo, that she went to St. Louis and there became acquainted with Holmes. She worked at a St. Louis printing house which printed the lottery tickets, but left the number spaces blank, and at the request of Holmes, as the story continued, she secretly took possession of from 50 to 100 of the unnumbered tickets and gave them to him, together with a numbering machine that she brought from her husband's establishment. It is supposed that the winning ticket cashed for Schubach was one of those supplied by the woman, the number having been supplied after the publication of the list of winners.

This witness was sharp and emphatic in her answers, and severely and coldly polite. The suavity of Mr. Shortridge on cross-examination seemed to disconcert her.

"Madam," said the attorney, "will you kindly explain to the Court which numbers were omitted in printing the tickets that

you purloined from your employer?" "The skeleton and serial numbers," answered the witness.

"And you supplied the machine for printing these numbers, did you?" "I did."

"Is it true that you went to Captain Martin and told him about these things because he did not give you a certain sum of money?" "No, it is not."

"Isn't it also true that you said Holmes would not divide with you?" "No, I positively said no anchoring."

"Madam, did you elope with Mr. Holmes from the East?" "I did not."

Hugh J. McGonigle, Metzger & Franklin's paying teller, said he had worked about fifteen years for the firm. The alleged spurious tickets were offered in evidence, and he identified them. In response to the questions asked by Mr. Johnson, he said that Schubach called at the office, accompanied by some man unknown to the witness. The following morning the check for \$7,500 was paid. Then came the cross-examination and the testimony about the lottery business.

"Where is the office of Metzger & Franklin?" asked Mr. Shortridge. "At 41 Second street."

"Does your firm sell lottery tickets?"

Mr. McGonigle hesitated, then turned to Judge Conlan and inquired whether he must answer the question. An affirmative answer was given by the Court.

"Well, we do not sell tickets directly."

"Indirectly?" "Yes, sir."

"What company's tickets do you sell?" "Little Louisiana Lottery Company."

"Where is that company located?" "In San Francisco."

"Don't you know that that company is a fake and a fraud?" "No, sir; when we cash our tickets I don't consider it as such."

"Have articles of incorporation been filed?" "No, it is a co-partnership."

"Who are in the firm?" "Metzger, Franklin and O'Connell."

Mr. McGonigle then told the story about the making of the tickets alleged to be counterfeit, and at the conclusion of his testimony the case was continued to next Thursday.

Credulous Merced Man Tells
of Spirit Messages Written
on Earle's Peculiar Slate.

DUPE BRINGS SUIT
TO RECOVER MONEY

Relates in Complaint How He
Was Led to Pay Ten Dollars
a Bottle for Medicine and
to Buy Worthless Oil Stock.

Friz Salmon says that he was deceived by Edward Earle, a spiritualistic medium and clair-voyant, who extracted \$500 from him by means of alleged messages from the spirit world, and he began suit in the Superior Court yesterday to recover the money. He gave Earle \$500 for stock in the Hacia Oil Company, which he now considers worthless, and \$20 for two bottles of so-called medicine. Salmon, who resides in Merced, relates the following story in his complaint:

About February 1, 1901, Earle represented to him that the Heria Oil Company owned forty acres of oil land in the city of Los Angeles, on which it had drilled a producing well, and forty acres in Kern county, and that its stock, which could then be bought for 25 cents a share, would soon be worth more. Earle knew where some stock could be obtained for 25 cents, and he advised Salmon, as a friend, to invest. Earle advised that he gave daily readings and spaces several times a week, and Salmon visited his office in get counsel. The complaint gives the following account of his visit on February 6, 1901:

Defendants represented to plaintiff that he was able to communicate with the spirits of deceased persons, and to cause said spirits to come into the presence of plaintiff and defendant and to utter words of wisdom in plaintiff upon a slate, and that through the aid of said spirits defendant could ferret out future evils and give valuable directions as to business affairs and the profitable investment of money. Defendant then and there gave plaintiff a list containing certain writings which defendant represented to plaintiff to be communications to the plaintiff from the spirits of deceased friends of plaintiff. One of said writings represented to be made by the spirit of a deceased sister of plaintiff, and was as follows:

ADVICE FROM SISTERS

"Continue to all regular, and as soon as possible we will give you good results. You will be successful with Charlie Felt; in business, but I want you to buy some good all stock, and the (Hera) Oil Company of Los Angeles is the one. If you invest \$100 now in a few minutes you will sell it for \$500, making a profit of \$400. You can get Mr. Earle to buy it for you, as he alone knows of it. With love, your sister, "LIZZIE"

On this recommendation Salmon bought 1000 shares of the stock for \$250, and in April, 1901, received a letter from Earle, who was posted at Los Angeles, stating that Earle had been to the company's well there, that the well was producing oil, that Salmon should buy more stock and that though the company was not selling stock, Earle knew of some well in the State of California of 20 wells for \$5000 each. Another 1000 shares was then purchased by Salmon for \$250. Six months later he wrote to Earle, inquiring about the company, and the latter replied that there was "no change in oil circles yet," but that the spirits predicted great success for Salmon in his business was false. In late December, after vague inquiries to inquire, Salmon made an investigation and learned that the Nevada oil company had a producing well and that it owned 1000 acres of land in Kern county, California and that the lease for the oil was merely the lease for the oil on ten acres of land in Los Angeles and it had the assignment of a lease of twenty acres in Kern county.

Solomon states that when he called on Earle in February, 1961, his health was poor, and Earle informed him that, although not a physician, he knew of a medicine that would cure him. This medicine was not obtainable in drug stores, but Earle knew where he could get it for Solomon for \$10 a bottle, and the following spirit message to Solomon was written on the date on February 6, 1961: "Don't get out of the medicine, for you can't get it in any drug store."

"MR. GRIMAL SCHMIDT"
Salomon knew Dr. Oscar Schmidt, who was at that time dead, and he accepted Schmidt's suggestion. Two days after purchasing the first bottle he gave Back his for another bottle, but, he alleges, there was no curative property in either bottle.

HOW TO DETECT FORGERIES.

Practical Suggestions by a Well-Known Expert—No Progressive Appliances Adequate to Meet All Cases—How the Pauper Works, What He Eats, and the Best Means of Deterring—How Easy It Is to Obtain a Check.

While the American Bankers' Association was in session at San Francisco recently the president of a bank in that city asked Theodore Kytha, the handwriting expert, to give the bankers some practical advice respecting the best means of detecting forgeries. Mr. Kytha prepared his paper, but being called away on an important case at Vancouver, was never able to present it in person. The manuscript was given to the *Evening Post* correspondent, and appears now for the first time.

Mr. Kylin says all the output that no device has ever been designed which can be relied upon to frustrate the forger in his work. He values bright, however, a Bralclara triplet color differentiating lens of about one inch diameter. This, he thinks, should be near at hand in every bank for quick use in case of need. He adds

"Expert forgers never resort to italics. They practise the signature, or the writing they intend to forge, until perfection. In this case the forged writing will always contain some of the forger's characteristics. Some forgers place the genuine signature upside down, and then begin writing with the end of the last letter the writing is copied or quickly drawn. This style of forgery is difficult to detect at first glance, but with the aid of a lens and microscope it will be easily seen that the manner of intersecting the up and down strokes is at variance with the genuine writing.

The confidential bookkeeper, or cashier, has often found it convenient, at times, to fill out the body of a check so as to allow space to insert figures without recourse to chemical erasure. For instance, a check is made out for '\$400.00'. Between the printed '\$' mark and the written '400.00' there is space enough left to insert a figure '1' and in the written words 'four hundred' there is space enough left between the 'four' and 'hundred' to insert the letters 'lowd'. On a check, no perforating machine is used.

These checks hold for all rings. After the
checks are made the machine is used for
punching '\$1,000'.

"The most dangerous forgets are those who resort to chemical eye drops and the paint brush, at times imitating the work of the perforating machine, also filling in the holes with paper pulp, then raising the original check or draft by the use of a pen-knife, the steel punch or a burning-point. The alteration in the handwriting itself is done by the use of metallic dyes, sometimes with color colors, and brush or pen-

"The simplest way to combat this class of check, in itself, is first to use a paper devoid of all watermarks, the top of the check should appear in three light alternating outline colors, printed with the least possible greasy matter. Some European printers, however, add just enough gold ink to the inks to make the final print safe and able to resist blurring. The innocent a forger wishes to raise the amount of the check and applies acid or alkaline solution with the intent of obliterating a portion of the writing, the final design fades instantly and the swindler will not be able to imitate the final design with a blotter. Any attempt, no matter how clever, should be instantly disclosed by the triple lens.

Another way of causing trouble for the forger is by writing the body of the check with black waterproof carbon ink. This ink, upon drying, resists the application of acids or alkaline solutions and cannot be erased without destroying the paper.

"Perforating machines are really an aid to the skilled forger in throwing payola tellers off their guard. An expert can easily remove a perforated slip by filling it with paper obtained from the check itself. He does this by cutting off a strip of the margin, and in that way filling up the perforated holes. With a round steel punch or a drawing needle he then alters the perforated number or adds the necessary numerals. The simplest way of detecting this operation is to take hold of each end of the check, pass it up and down against the sharp edge of a counter, pressing it steadily meanwhile. If filled, the inserted paper will detach itself in places, or perhaps fall out."

—New capital introduced in France during 1903 amounted to \$264,870,125, or substantially the same as 1902.

She Disapproved His Claim

The story from New York about the removal of Charles S. Neal from the position of manager of the Fair estate occasioned no surprise among the people who have had intimate business relations with Tessie Delrichs. They knew that when she learned that Neal had put in a claim against the estate for fifty thousand dollars for "extra services" she was very indignant. She felt that as he was receiving five hundred dollars a month from the estate the heirs were entitled to his services in all matters pertaining to their affairs and that he had no claim on them for extra compensation. She remarked during her recent visit to this city that if the claim were allowed Mr. Neal would never receive another cent from the estate. When she received word that it had been allowed she summoned Neal to New York and requested him to bring the books. Mrs. Delrichs has inherited the business instincts of her father, and she is not to be trifled with. I hear that Mr. Delrichs approved of Mr. Neal's claim, but his judgment had no influence upon that of his wife. Charley Neal was private secretary to Senator Fair twenty years ago but they quarreled and Neal lost his job. Senator Fair's children had great confidence in Neal and when their father died they engaged his former secretary to manage the estate.

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March 8 - 1904

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IRONICLE, SATURDAY

WILL PREPARE FOR THE TRIAL

Police Department Transfers
Negatives to Kytko for Use
Against Mrs. Cordelia Botkin

TAKEN TO LABORATORY IN PATROL WAGON

Enlargements to Be Shown to a
Jury on the Largest Screen
Ever Used for That Purpose
in Local Criminal Courts.

The photographic negatives of handwriting and other matters of evidence used in the trial of Mrs. Cordelia Botkin five years ago, when she was found guilty of the murder of Mrs. Elizabeth Dunning of Dover, Del., were transferred yesterday by Chief of Police Whitman from the custody of the department to that of Theodore Kytko, the handwriting expert. A large chest, under which two men staggered, was conveyed from the Hall of Justice to Kytko's laboratory, where enlargements will be made of the anonymous letters, the address on the box of poisoned candy, the note inclosed and of identified exhibits of Mrs. Botkin's handwriting.

Of the four men who were present when the negatives were taken—Chief of Police Lees, his son Fred, Police-man William Gelmann and Handwriting Expert Kytko—only the expert remains alive to identify the exhibits. Nothing which might have been photographed was neglected by the men, that the danger of loss of evidence through fire or other means might be guarded against. From the page of the poison register on which the name of "Mrs. C. Botkin" was inscribed by the clerk in the drug store, when it is alleged that Mrs. Botkin purchased poison under that name, to the handwriting which was inclosed in the box of poisoned candy, all were photographed and the negatives were contained in the chest, which, guarded by policemen, rolled away in the patrol wagon yesterday.

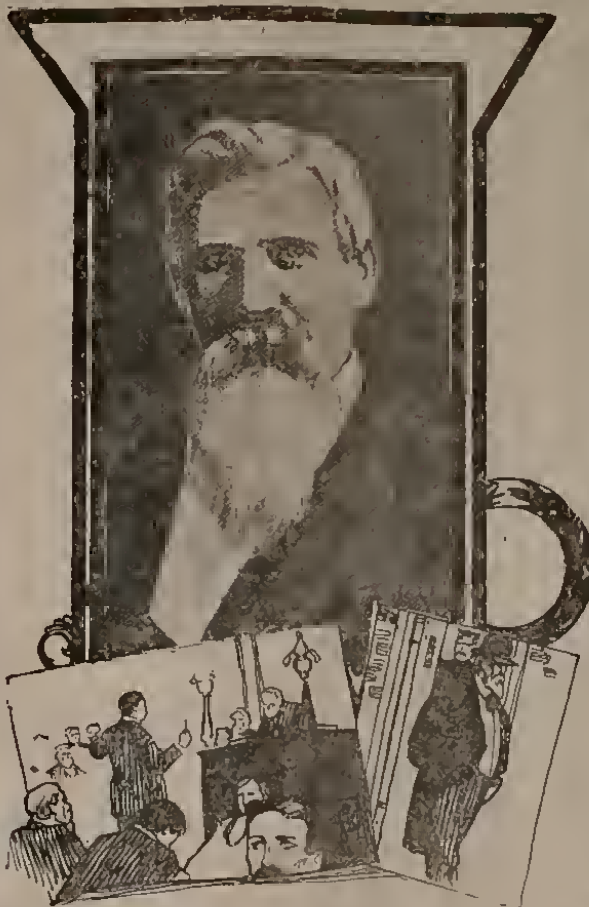
HUGEST SCREEN EVER IN COURT

Kytko has arranged to prepare the largest screen which has ever been used in a jury in this city, as large in fact as the courtroom will accommodate, and after taking the measurements yesterday, said that it would be 8 by 16 feet. This will enable him to display enlargements of the disputed and admitted handwriting of Mrs. Botkin, side by side, and give the jury every advantage which would be had by a trained microscopist. Though the appropriation of \$5000 secured by District Attorney Byington with which to prosecute the case, he will be able to secure more elaborate detail than has ever been attempted in this direction in a criminal court.

It will require at least a month of continuous work at Kytko's part to prepare his evidence for presentation. And, of course, he says, will probably delay him until the time set for trial.

Mrs. Dunning received a box of candy by mail in August, 1899, containing a friendly unsigned note and a lady's handkerchief. She and her sister both ate a portion of the candy, were taken ill and died. Chemical analysis showed that the candy contained arsenic which had been cunningly introduced. The intimacy of Mrs. Botkin with Mrs. Dunning's husband caused suspicion to point to her, and a chain of circumstantial evidence perfected which caused her conviction by a jury before Judge Pack. An appeal to the Supreme Court, based on the claim of error in the judge's charge to the jury, secured an order for a new trial, which after various continuances has been definitely set. It is expected that it will take five days to secure a jury, and that by March 15th the necessary witnesses will have reached here from Delaware.

DR. J. M. BOWERS DIES IN SAN JOSE



Dr. J. Milton Bowers, Who Died Yesterday at San Jose.

His Death Recalls a Series of the Most Remarkable Trials in the Criminal Records of This or Any Other City.

DR. J. MILTON BOWERS died yesterday at San Jose of paralysis. The mere announcement of the death of Dr. Bowers awakens interest once more in a series of the most remarkable trials which find a place in the criminal records of this or any other city, and even now opinion is strongly divided as to the guilt or innocence of the accused. It is a matter of even recent memory that Dr. Bowers was arrested, tried, convicted and sentenced to death for the murder of his wife, Fella Benhayon; that he was a prisoner for many years in the County Jail under sentence of death, and that he finally obtained his freedom by a series of remarkable circumstances which make a story more like the workings of the plot of a sensational novel than of happenings in real life.

It was in November, 1885, that J. Milton Bowers was lodged behind the bars at the instance of Chief of Police Crowley, charged with the murder of his wife by the use of poison. I. W. Lees was then captain of detectives, and Detective Robert Hogan was detailed on the case. The dead woman had been the divorced wife of a man named Lery, who is still living in the city. Bowers, whom she had married a short time after the divorce proceedings, was a clever practitioner, whose business, though lucrative, was never considered of a high class. Mrs. Bowers died, but the stories as to her treatment had caused people to be suspicious. Her mother and brother had been denied access to her bedside during her illness, and an autopsy was demanded. This was performed and the result, in the belief of Dr. William Johnson and Thomas Price, was that the woman had been slowly done to death by the systematic administration of phosphorus. The fact that her life was insured for \$12,000 in Bowers' favor lent additional color to the accusation against him.

When the case came on for trial Bowers was defended by Dr. Pax, the late John Campbell and Attorney Nagel. The defense set up was that the phosphorus found in the body

was due to the great quantities of syrup of hypophosphates and other drugs which the deceased was in the habit of taking.

The preparations for the trial were hardly under way when a difference of opinion arose between Captain Lees and Detective Hogan, the former asserting his belief in the prisoner's innocence and the latter in his guilt. The trial lasted for sixteen weeks, and it ended in Bowers' being sentenced to death.

Continuances and appeals saved Bowers from the hangman until, in 1907, the body of Henry Benhayon was found in a room at 22 Geary street. The drugs of a mixture of cyanide of potassium found beside him and a letter purporting to be in his handwriting confessing that he, and not Dr. Bowers, was responsible for the death of Mrs. Bowers, opened up a new vista in the case.

This culminated in two more trials for murder, as Detective Hogan produced evidence to support the theory that a man named John A. Dimmick, an associate of Bowers, had poisoned Benhayon and prepared the alleged confession. Dimmick was tried twice. The jury directed the first time and on the second trial the prisoner was found not guilty.

It was in August, 1894, that Bowers again came before the Court, a new trial having been granted on the ground that new evidence had been discovered. The hospital of Dimmick had robbed the State of its case and Bowers went free. He stayed in this city for a while, and later, in May 1895, he married a Mrs. Mary Bird of San Jose, a former patient of his, who now survives him.

The record of Bowers previous to his second trial was not a pleasant one. He first married a Miss Hammond, who died mysteriously in Philadelphia. Then a Jewish actress, Teresa Sheek, became his wife, and she, too, died under circumstances that were never fully investigated. His third wife's name has already been mentioned.

Bowers was at the point of death two years ago, and then, when he expected the end, he made the confession statement that he was charged with the murder of Benhayon, which had been made against him.

END OF A MYSTERIOUS MURDER CASE.

The last chapter in one of the most sensational of a long list of mysterious murder cases which have at various times occupied the attention of the police authorities and the criminal courts of this city closed on Monday with the death at San Jose, from paralysis, of Dr. J. Milton Bowers, the central figure of the tragedy. Bowers was accused, tried, convicted and sentenced to be hanged in 1889 for the murder of his wife, whose death, it was assumed, had been produced by slow poisoning. An autopsy revealed an abscess and free phosphorus in the stomach. Either was sufficient to have caused death. Bowers was accused of the murder because there existed a motive for it in the life insurance policies, amounting to \$11,000, carried by his wife, in which he was named as the beneficiary. Then, again, it developed that two other wives had died mysteriously under suspicious circumstances.

After being convicted and sentenced to death, Bowers managed for several years to stay the execution. While these dilatory proceedings were in progress another tragedy equally mysterious entered into the case through the finding of the dead body of Henry Benhayon, the brother of the dead woman, in the hallway of a Geary-street lodging-house, opposite the door of a room rented the night before by J. A. Dimmick, a book agent. Death had been produced by a poison of cyanide of potassium. A bottle containing the poison was found in Dimmick's room, and with it what purported to be a confession written by Benhayon, in which he admitted having himself administered the phosphorus which caused his sister's death. The facts, however, that Dimmick had been previously seen in Benhayon's company, with the latter under the influence of liquor, that the two had been closeted together through the day in Dimmick's room, and that Dimmick had visited Bowers in the County Jail, led to the suspicion that he had poisoned Benhayon in the interest of Bowers. The confession was also assumed to have been forged to make Benhayon's death appear to be a case of suicide. Dimmick and a Mrs. Zelasing, who had been employed by Bowers before the death of the latter's wife, were supposed to have been the forgers of the document.

However, Dimmick was twice tried for the murder of Benhayon, and although strong circumstantial evidence was introduced against him, he was acquitted. With Dimmick's acquittal, Bowers was able to persuade the Supreme Court to reverse the judgment and set him free on submission of the evidence of Benhayon's alleged confession and suicide.

Now that Bowers is dead, the mystery of his wife's murder will never be unraveled, unless he made some confession regarding it to those attending him in his last moments and they choose to reveal it. The great majority of people believed Bowers guilty of killing his wife, and also of being an accessory to the death of Benhayon, as he was the sole beneficiary in each instance.

BOTKIN CASE ON AGAIN

Once Convicted Poisoner of Mrs. John P. Dunning Will Appear in the Superior Court To-Morrow to Be Put on Her Second Trial for Murder.

EXPERT GUMPEL TO BE HER MAIN RELIANCE

Delaware Witnesses for the Prosecution Have Left for San Francisco—Their Expenses Are to Be Borne by the State of California.

Max Gumpel, who has been absent from this city for several years, is in town, and the presumption is that Gumpel is here to give expert testimony for the defense in the case of Mrs. Cordelia Botkin, who is to be on trial to-morrow for the alleged killing of Mrs. John Dunning, through the means of poisoned candy.

Max Gumpel, it will be remembered, is a handwriting expert, and left San Francisco some years ago. When he left belief was expressed that Gumpel's career of usefulness was closed in San Francisco.

Much surprise is, therefore, manifested that Gumpel should be again here, and the impression is that he has been sent for by George A. Knight, who has in charge the defense of Mrs. Botkin.

Will Be Costly Trial.

Mrs. Botkin's case promises to be as expensive to the city as any case that has ever been tried here. Already the taxpayers have contributed something like \$40,000 for this trial, and the end is not yet.

Mrs. Botkin herself is without means, and yet she is not without lawyers to defend her.

And behind this there is a story that the lawyers composing the firm defending her are not in accord with each other in this matter.

George A. Knight has thrown himself into the battle with all the ardor of his impetuous nature, while the report is that Charles J. Heggerty, who is the cooler of the two, is lukewarm and does not exactly like the expenditure of the firm's money for the defense of Mrs. Botkin.

City Is Ready.

Meanwhile the city authorities

are determined to bring the matter to an issue. All the witnesses that are living will be brought to this coast, which is expensive. The other details of the trial will also cost a considerable sum.

Naturally the evidence is all circumstantial.

The city, through its expert Kytka, will try to prove that Mrs. Botkin was the author of the anonymous letters received by the late Mrs. Dunning in Dover, Del., and that the same person wrote the address on the package containing the arsenic loaded chocolate.

An attempt will be made to prove this by the handwriting of Mrs. Botkin by comparing this inscription with letters she herself admitted to be in her handwriting, and with the poison register of the drug store where she purchased the arsenic and with other of her writings.

Other evidence will be introduced—notably the handkerchief in which the box was wrapped.

Gumpel on Scene.

The part Gumpel is expected to play is to prove, if possible, that Mrs. Botkin never sent the box, basing this claim on the assumption that the inscription is not in her handwriting, and that the anonymous letters were not written by her.

This will be the point of the coming legal battle.

Kytka is prepared for the outcome.

There will probably be no case in which the power of photography will be more elaborately shown.

In fact, outside of the interest, from a criminal point of view, the Botkin case will be one of the most interesting ever tried in any courtroom in the world.

Here is a woman being tried three thousand miles away from the scene of the crime. The in-

der was committed by means of a box of candy, sent by some one three thousand miles on its deadly errand.

No Need of Imagination.

A man has no need of a lively imagination to conceive the peculiar condition of mind that the woman, if she did send the candy, must have been in until she heard of the results of her plot.

Was Almost Insane.

Testimony has been given that Mrs. Botkin, after the dispatch of the candy, left the hotel Victoria, where she had been living, and went to Stockton, and when there was thrown into an illness which bordered on insanity.

In her fever she is said to have given expression to remarks which greatly puzzled the nurses.

From Stockton she went to Haldsburg and there again she was attacked with fever, and again said things in her delirium which showed that she was under some great mental stress.

Dramatic Phases.

There are few cases which have so many dramatic phases, not the least of which is the fact that a postal clerk noticed the box in the ferry postoffice, his attention being drawn to the address because his name was almost identical with that of Dunning, and he, too, had a father living in Dover.

Dunning Well Known Here.

John Dunning was well-known in this city. He worked on several of the newspapers here, and then took service with the Associated Press, and later was sent east.

While here he formed an intimacy with Mrs. Botkin, who was apparently infatuated with him.

Mrs. Botkin was Jealous.

When Dunning left for the east Mrs. Botkin was fearful that he would go back to his wife and abandon her.

She then commenced to write a series of letters signed "A Friend" to Mrs. Dunning, in which she outlined the life that she and Dunning had been leading.

These letters will be presented in court and over them the handwriting experts will battle.

Recourse to Camera.

This battle will be waged from a purely scientific standpoint.

Enormous photographic reproductions have been made by Kytka of these letters, and over each line, each dot, each dash, each twist and turn of Mrs. Botkin's peculiar handwriting will the experts wrangle.

In this case more than ever will be proved the power of photography as an aid to the detection of crime.

Starts for San Francisco.

DOVER, Del., March 9.—The Delaware witnesses against Mrs. Cordelia Botkin, who is to be placed on trial in San Francisco to-morrow for the murder of Mrs. J. P. Dunning of this place by sending her a box of poisoned candy, will rendezvous in Philadelphia to-day, to start on their trip to the Pacific coast. Their expenses will be paid by the state of California.

Mrs. J. P. Dunning and her sister, Mrs. Joshua D. Deane, were killed in 1900 by eating poisoned candy, which was received through the mail. Mrs. Botkin was convicted in California of the murder of Mrs. Dunning, but was granted a new trial. Two or three witnesses have died and three important witnesses have refused to make a second trip to California to identify the candy box—former Postmaster Thos. M. Gauden, Assistant Postmaster Josephine Bateman and Cashier Walter Morris of the local bank, and it is believed here that it will be impossible for the state to present as strong a case as it did at the first trial. Joshua Deane, however, said to-day:

"If that woman is acquitted of the murder of Mrs. Dunning, I will have her served with a warrant be-

fore she can leave the courtroom, and will stay right there in San Francisco and prosecute her for the murder of my wife."

The witnesses who will go are Miss Elizabeth Kemp, Harry Pennington, Mrs. L. A. H. Bishop and Presley S. Downs, Joshua D. Deane and former State Detective Bernard J. McVey.

ELISIE YATES SECURES

BOTKIN CASE WILL GO TO TRIAL THIS MORNING

First Trial Was Held Over Five Years Ago and the Defendant Found Guilty of Murder.

Supreme Court Granted a New Hearing—Instructions as to the Credibility of Witnesses Said to Have Been Improper.

THE second trial of Mrs. Cordella N. Botkin for the murder of Mrs. John P. Dunning will begin at 10 o'clock to-day before Superior Judge Carroll Cook. Out of the oblivion of the past, almost, this case is to be dragged, for it is nearly six years since the box of poisoned candy was sent on its fatal mission from San Francisco to the home in Delaware where destruction of two lives was worked. Mrs. Botkin was tried and found guilty of the crime in 1908, and the prosecuting officials presented strong proof that her mad infatuation for John P. Dunning, a well known press correspondent, had led her to put his wife out of the way. But a sister paroled, also, of the homicide in which the grains of arsenic were concealed, and she, too, fell victim to the plot. Other members of the family had eaten the cream chocolate and narrowly escaped death.

All the resources of the law were brought into play to save Mrs. Botkin from the sentence of life imprisonment that was imposed. A decision was finally handed down by the Supreme Court wherein instructions given by Judge Cook at the trial as to credibility of witnesses were declared to have been improper, and on this ground the defendant was granted a new trial. Delay in bringing the case before the court again has been pronounced, but the reins were at length drawn taut and now the trial is to go on.

Witnesses have died and evidence has been lost during the years that Mrs. Botkin, from the County Jail, has sought her commitment to the penitentiary. It would be assumed that the case of the people had been weakened as a result, and that the proper was good that prosecution had forfeited the ends of justice. But District Attorney Byington declares that these handicaps are of no moment for he has new evidence to offer and has his case in better shape to establish the guilt of the woman than when she was tried half a decade ago. The interest of the prosecution has not flagged, he says, and he enters into no negotiations as to the outcome.

WITNESSES FROM DELAWARE.

The witnesses from Delaware, where the murder was consummated, will start to-day for San Francisco and will be here by the time the jury hall has been completed. The Attorney-General of that State is expected to arrive to-day to aid in the prosecution. There will be one of these witnesses who will cross the continent to give their testimony. They were in attendance at the former trial, and the expense of bringing them to San Francisco helped largely to swell the cost of the case in the city and county at that time to \$40,000. For thirty days the jury and Judge listened to testimony and argument, but the second trial promises to be even longer.

Of the important witnesses for the people those who have passed away since 1908 are I. B. Pennington, father of Mrs. Dunning and head of the household to which the cruel token carried death and suffering, and I. W. Leary, chief of Police of San Francisco when the evidence was gathered that connected Mrs. Botkin with the murder. Their testimony at the first trial is preserved in the transcript, however, and is available still against the prisoner. The prosecution at the first trial was conducted by John A. Hosmer, who was then an assistant district attorney, and in the new administration of that office the case will now be in the hands of District Attorney Byington and Assistant Robert Ferrell. They have been working assiduously for the past three months and express confidence that they will be able to prevent the chafing of the law. Beyond the prosecution of a doubt they request Mrs. Botkin as guilty of poisoning the candy and mailing the box to Dorar, Del., addressed to Mrs. J. P. Dunning.

The defense will again be represented by George A. Knight, Frank McGowan and Attorney Wheeler of Eureka. They have arisen with more than ordinary determination to free their client, and it is certain that they will once more give strong battle to the cause of the people. The first question that attracted much attention when the courts was as to jurisdiction. The unusual problem arose as to whether she should be tried in Delaware where the crime was completed, or in California, where the operation of the plan to take life was set in motion. It was determined that the defendant could be regarded as having committed the deed in this State, and the case therefore remained here.

CHAIN OF CIRCUMSTANCES.

The chain of circumstances woven about the defendant at the trial was such as to bring conviction to the minds of most people that it was Mrs. Botkin who sent the poisonous gift. It was shown that she had been in contact with John P. Dunning while his wife was absent in the East, and that she was really in love with him. It had ceased his relations with her and



Mrs. Cordella Botkin, Who Will Go To-Day to Her Second Trial for the Murder of Mrs. John P. Dunning.

Mrs. Joshua D. Deane, her sister, the result was fatal, but the five other members of the family survived. The victims died the following day, by which time the presence of arsenic had been discovered in the sweets. Before she succumbed Mrs. Dunning showed the detectives two anonymous letters she had received from San Francisco, informing her of the alleged misconduct of her husband with Mrs. Botkin, and Chief Lee of this city was not long in fastening suspicion on her as the author of the letters and the sender of the poisoned candy.

Handwriting experts declared the letters, the address on the deadly box and the inclosed note to have been written by the accused. Their testimony on this point was absolutely positive. Theodore Kikka, who was the leading expert in the former trial, will testify, reinforced by the firm of Ames & Bloenshimmel, Max Gumpel, once a well known expert of this city, but now of New York, is in San Francisco, and it is said that he will take the stand in behalf of the defense.

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Of the important witnesses for the people those who have passed away since 1898 are L. B. Pennington, father of Mrs. Dunning and head of the household in which the cruel token carried death and suffering, and L. W. Lee, chief of Police of San Francisco when the evidence was gathered that connected Mrs. Borkin with the murder. Their testimony at the first trial is preserved in the transcripts, however, and is available against the prisoner. The prosecution at the first trial was conducted by John A. Hosmer, who was then an assistant district attorney, and in the new administration of that office the case will now be in the hands of District Attorney Byington and Assistant Robert Fernal. They have been working assiduously for the past three months and express confidence that they will be able to prevent the cheating of the law. Beyond the peradventure of a doubt they regard Mrs. Borkin as guilty of poisoning the candy and mailing the box to Dover, Del., addressed to Mrs. J. P. Dunning.

The defense will again be represented by George A. Knight, Frank McEwan and Attorney Wheeler of Eureka. They have striven with more than ordinary determination to free their client, and it is certain that they will once more give strong battle to the cause of the people. The first question that attracted much attention when the case of Mrs. Borkin reached the courts was as to jurisdiction. The unusual problem arose as to whether she should be tried in Delaware where the crime was completed, or in California, where the operation of the plan to take life was an intention. It was determined that the defendant could be regarded as having committed the deed in this State, and the case therefore remained here.

CHAIN OF CIRCUMSTANCES.

The chain of circumstances woven about the defendant at the trial was such as to bring conviction to the minds of most people that it was Mrs. Borkin who sent the horrors. It was shown that she had been unduly intimate with John P. Dunning while his wife was absent in the East, and that she was madly in love with him. He had ceased his relations with her and gone to Cuba as a correspondent during the Spanish-American war, having asked for the assignment from the press organization by which he was employed in order to get away from San Francisco and Mrs. Borkin. She had a husband living in Stockton—a grain broker—but having formed her liaison with Dunning she had deserted him and made her home in this city. The husband has since secured a divorce from her.

It was shown that Mrs. Borkin purchased arsenic at a local drug store three months before the tragedy, and that she bought candy similar to that which arrived in Dover from a Market-street store. In August the box was sent from this city through the mails, and that very day the defendant picked her belongings and left the Victoria Hotel, where she was sleeping, for Hardsburg.

The chocolates were delivered from the Dover Postoffice to the Pennington boy, a brother of Mrs. Dunning. He took it home and the box was the cause of much mystery. With the candy was a note which read, "With love to yourself and baby." It was signed "Mrs. P." and Mrs. Dunning could not imagine who the well-wishing friend could be. The family circle began to eat the chocolates and were soon taken ill. To Mrs. Dunning and



Mrs. Lucille Borkin, Who Will Go To-day to Her Second Trial for the Murder of Mrs. John P. Dunning.

Mrs. Joshua D. Donne, her sister, the result was fatal, but the five other members of the family survived. The victim died the following day, by which time the presence of arsenic had been discovered in the sweets. Before she succumbed Mrs. Dunning showed the receivers two anonymous letters she had received from San Francisco, informing her of the alleged misconduct of her husband with Mrs. Borkin, and after loss of this city was not long in fastening suspicion on her as the writer of the letters and the sender of the poisoned candy.

Handwriting experts declared the letters, the address on the deadly box and the inclosed note to have been written by the accused. Their testimony on this point was absolutely positive. Theodore Kytko, who was the leading expert in the former trial, will testify, reinforced by the firm of Ames & Steenselmann. Max Gumpel, once a well-known expert of this city, but now of New York, is in San Francisco, and it is said that he will take the stand in behalf of the defense.

CHARGE

BOTKIN JURY FILLED AND NEW WITNESS IS FOUND

55



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After Lively Tilts Between Attorneys,
the Case Is Made Ready for Trial,
and Will Go On Next Monday.

THE jury for the trial of Cordelia Botkin was completed yesterday afternoon, and the introduction of testimony will begin Monday morning at 10 o'clock. During the examination of witnesses yesterday the prosecution discovered a new witness, whose testimony may prove of importance against the defendant. He is Frederick Toklas, who conducts an auction and commission business at 115 Bush street and resides at 3506 Clay street. He did not make his statement in court, but in response to queries of counsel said that he was in possession of evidence that would incriminate him from sitting in judgment. He was excused, but the facts he knew were afterward obtained, and it is possible that they will have a strong bearing on the case.

Toklas says that in 1898, a few days before the arrest of Mrs. Botkin, he was a passenger on the train with her from Stockton to San Francisco, and his attention was drawn to her because of the state of extreme agitation she appeared to be in, leading him to think that she was mentally unbalanced. This was at the time the detectives were bending their best energies on both sides of the continent to unravel the mystery, and the newspapers were filled with accounts of the crime. As a matter of fact Mrs. Botkin was then regarded as the perpetrator of the crime, and the activities of the officers were being devoted to unraveling the chain of circumstances about her. The day that the box of candy was mailed from this city she had packed her belongings and left the Victoria Hotel for the country, going to Stockton and to Healdsburg.

WAS MUCH EXCITED.

"Mrs. Botkin was pointed out to me in a casual way by a friend who accompanied me to the depot in Stockton," Toklas says, "and when I boarded the train I found she was in the same car I was in. I paid no further attention to her until she began to show signs of great excitement. She was preoccupied in her thoughts and it was impossible for her to rest in her seat. She would get up every few minutes, pace the aisle, and I don't know how many hundred times she went to the water tank and merely put her lips to the cup. I at first made up my mind that the woman was very much excited over something, but as her agitation showed no signs of abatement as we continued the journey I began to think that she must be losing her mind. Her unrest was alarming, and when we left the train the conviction was strong in my mind that some one ought to look after her.

"I had no idea at that time that Mrs. Botkin was to be connected with the murder case, but as soon as I saw in the papers that she had been taken into custody it was all made plain to me why her mind was so greatly disturbed during that trip from Stockton."

As Toklas was leaving the jury box and stepped by the prosecuting attorneys, who were both acquainted with him, Byington made the remark that "We might need you as a witness here." Then Perrell asked what it was he knew of the case that would not permit him to serve as a juror. The conversation was whispered, but Attorney Knight demanded to know if the prosecution was canvassing for witnesses in the courtroom and in the presence and hearing of the jury.

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all in judgment in the celebrated murder case, concerning which so much has been talked and published during the six years that it has claimed an intense interest from the public, came with glad welcome to the room and the court. For five days the difficulties of prejudiced minds, knowledge and opinions of the tragedy and conscientious scruples that jurymen said they felt, had been encountered in an almost exasperating degree, and it was with some show of relief that Attorney Knight, after a conference with his associate and Mrs. Botkin, called out, "Swear in the juror," when the twelfth man was accepted.

To obtain the twelve jurors 350 ritzens were summoned since last Monday. When the trial was begun confidence was expressed by the lawyers that the jury would be selected within two days. Then it was thought certain that it would be accomplished on Wednesday at the latest. Five had been sworn in on Monday, and four were added on Tuesday. But panels and vetoes were exhausted at a discouraging pace after that, and no one would attempt any further predilections. Hope had even been given up that the two vacant seats remaining would be filled yesterday.

But during the forenoon session S. P. Robbins, whose residence is at 522 Turk street, answered all questions satisfactorily. He stated that he was in the real estate business at the present time, and that some years ago he was associated with James Seymour in conducting the Russ House. Knight led him through a course of questioning as to his acquaintance with and knowledge of "writing-hand" experts, and also gained the assurance that the jurymen would not vote for conviction if the prosecution failed, in its evidence presented in court, to establish one certain material fact essential to making out a conclusive case.

THE LAST MAN.

John P. Carroll, the last man to prove acceptable, was sworn in late in the afternoon. His home has been at 11 Lake street for the past nineteen years. For a number of years he has had no employment. He was formerly in the service of the Harbor Commissioners, held a position in the Mint for a number of years, and was also a public employee in the City Hall.

The defense had three left of the twenty peremptory challenges allowed it by law, when arraignment was made that it was content with Carroll. The prosecution had exhausted all but two of its peremptory challenges.

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Knight and Perrell had another exciting talk. A layman answered that he had formed an opinion as to the guilt or innocence of the defendant because, at the former trial, the jury returned the verdict against her.

"Don't you know," Knight took advantage of the opportunity to ask, "that that verdict was reversed by the Supreme Court of this State because it had been rendered in an illegal manner?"

LAPIQUE KNOCKED OUT IN FIRST LEGAL BOUND

Judge Hunt Sustains Seventeen Demurrers to Park Packers' Constitutional Complaint.

Seventeen of the forty-four defendants named in the sensational suit of John Lapique for \$650,000 damages were relieved from further bother with the case yesterday when Judge Hunt sustained their demurrer in the complaint and denied Lapique leave to answer. This puts the case out of court as far as the following defendants are concerned: A. Ruef, Guston Straus, A. C. Krues, A. P. Van Duser, John J. West, Ellen Faubert, Joseph T. Egnat, P. A. Bergerol, J. A. Bergerol, Ursula Mapple, Lawrence Mapple, P. Maysomave, Max Andechon, Frank W. Cornyne, P. B. Oliver, J. Le Breton and Theodore Kytko.

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As Toklas was leaving the jury box and stepped by the prosecuting attorneys, who were both acquainted with him, Byington made the remark that "We might need you as a witness here." Then Ferral asked what it was he knew of the case that would permit him to serve as a juror. The conversation was whispered, but Attorney Knight demanded to know if the prosecution was canvassing for witnesses in the courtroom and in the presence and hearing of the jury.

The Assistant District Attorney declared that he had a right to talk "to this man," and that nobody could stop him.

"The conduct of the prosecution is reprehensible," Knight shouted. "In the hearing of the jury they are searching for and talking with a witness."

Ferral protested that he was doing no such thing.

Knight said he was. The words flowed in a noisy torrent for a minute or two, and then Judge Cook took a hand.

"The District Attorney must not be discouraging the case with any whisper in anybody's ear within the hearing of the jury," was his stern injunction.

Ferral denied that he had been doing so, but the court ruled that from the bench he had heard the conversation, although he could not distinguish what was said.

Knight had to have his say again, and then the Assistant District Attorney turned upon him and told him angrily that the court alone would give directions that would be accepted by the prosecution in the conduct of the case. Judge Cook intervened again and stopped further hostilities by a peremptory command.

THE JURY COMPLETED.

The end of the tedious efforts to find citizens who were qualified to

all in judgment in the celebrated murder case, concerning which so much has been talked and published during the six years that it has claimed an intense interest from the public, came with glad welcome to the court and the jury. For five days the difficulties of prejudiced minds, knowledge and opinions of the tragedy and conscientious scruples that jurors said they felt, had been encountered to an almost exasperating degree, and it was with some show of elation that Attorney Knight, after a conference with his associate and Mrs. Botkin, called out, "Swear in the jury," when the twelfth man was accepted.

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Byington and Ferral both gave instant vent to disapproval by guttural sounds. The assistant took up the cudgel, and again the Court had to stop the row.

John P. Dunning, husband of the victim of the murder, was a spectator for half an hour just before noon. Mrs. Botkin's eye met his as he entered the courtroom, but the glances were quickly averted. Mrs. Roul, the important witness from Stockton, attended the trial throughout the day. She will testify that Mrs. Botkin had represented herself to be ill, and made diligent inquiry as to the effect and various methods of administering arsenic. The witness had also seen the defendant in the company of Dunning, infatuation with whom is alleged to have prompted the killing of his wife.

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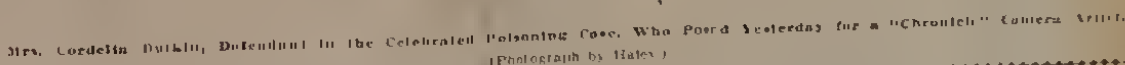
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District Attorney Strongly Resents Attack on Dead Chief Lees—Witnesses Re- peat Their Former Stories.

"Captain Seymour took the witness into his prison to identify Mrs. Brinkley for her arrest. 'I said I was not the one,' she told Mrs. Brinkley who was in the store," was the answer of Mrs. Brinkley as to what question she asked at the time.

"I remembered the incident because of the fugitive manner of the person who was in the store," she said, "and, by her demands of me to



dicted the "Liberation" that Dr. Bishop, one of the physicians who attended Mrs. Dunning and Mrs. Team in their last illness, had intended the hospital in order to save his professional reputation, which was endangered because he had to mistake a distinguished man for them.

Mrs. S. P. Jones, who was Miss Heller in 1891, and the employee in 1892, testified that she never played cards in any parlor in the store and even says she does not.

Miss Annie Dunning, another employee, gave testimony to the same effect. Miss Annie Jones, the District Attorney's agent, assumed David H. Green, the first employed at the Star drug store, 1021 Market street, to tell her that on June 1, 1892, he had lured a clerk to a warehouse.

Then you ask me how I form this and general opinion. Miss Cordelia Smith, recently, the person to whom you told the position of about June 1,

When did you first get all of this tale?" Mr. Brinkley said one of the proprietors of the paper four months later that he informed "Chief" Lee.

"I was not entirely lying to get some free advertising for the drug store."

"No, that would not be likely, because much as they discarded me, they still were in the company of 'Chief' Lee to look out their interests."

"Defendant, did you not and are you not able to find out the names of the persons who were in the company of 'Chief' Lee?"

"I can identify these Brinkley positions as the person who bought the article from you."

There is correct.

SAW THE CANDY SOLD.

Mrs. G. W. Clark, who was Miss Katie Deltora in 1884, and has since married an attorney of the United States, has testified that she was employed in the candy store of Hattie Lee, on the afternoon of July 21, 1894, and saw Miss Lee sell a nut pound box of fancy candy to a woman customer.

"I will call your attention to the defendant, Frederick Brinkley, and now to the witness, Mrs. G. W. Clark."

ager in the candy firm of Hays & Co. in 1896, saw Miss Hays take a fancy box out of the show-case and fill it up on the afternoon of Jan. 1. "I was then in a position to argue, if I desired, that the candy was sold in the District Attorney's office and returned."

"To my knowledge we have never had anyone or any other person in our store at where the candy was manufactured."

George William Hays, manager of Hays & Son, identified the box and the candy mailed to Fowler as similar to that sold in the store in 1896. The pink boxes, such as the one in which the poisoned candy was found, were supplied exclusively to that firm in 1896. The evidence would also tell from an inspection of the candy that it was of the same make.

Professor Thomas L. the the best of was called to tell if it was the candy made in the laboratory and that it was within a reasonable time. The court could look at further the ruling on the objection there and by in defense.

...the murder of such a charge...
...by those who heard it was...
...the laughter it evoked. But...
...District Attorney is not disposed...
...in the matter rest and will defend...
...good name of the civilized man...
...is attacked only with his death.

...Mrs. J. J. Macpherson, who in...
...was Miss Sylvia Henney...
...the jury yesterday that on...
...May 31st of that year while she...
...was employed at the candy store of...
...Haas & Son on Market street, she sold...
...a box of bonbons to a woman, who...
...in general appearance" reminded...
...her of the defendant. The identifica-...
...tion was not complete, however, for...
...the witness declared that she could...
...not say positively that the purchaser...
...was Mrs. Bolkin. The poisoned candy...
...was mailed from San Francisco to...
...Mrs. Dunning in Baltimore a few days...
...later and it is the theory of the...
...prosecution that the box which was...
...brought to Hunt was the one that...
...served as the messenger of death.

...The 14, H. Green, who was a clerk...
...in the Star drug store at 1005 Market...
...street in 1898, testified that on or...
...about June 1st in that year he sold...
...the owner of lump arsenic to a...
...woman who he thought was the de-...
...fendant, but he was not sure of his...
...identification. Frank S. Gray, the...
...clerk in the Owl drug store, who gave...
...his testimony the day before, re-...
...called in the morning to explain that...
...it was powdered arsenic that had been...
...purchased by the person whose name...
...appeared on the poison register as...
...Mrs. Bolkin.

...To the analyses that were made of...
...the candy that arrived at the mansion...
...of murder in the Pennington household...
...on August 3, 1898, it was found that...
...the cream chocolates contained both...
...powdered and lump arsenic, and the...
...prosecution takes the position that it...
...has proven where Mrs. Bolkin ob-...
...tained the two kinds.

...Druggist Gray also strengthened his...
...identification of the person when he...
...was recalled. The day before he had...
...been consulted late in his evening...
...but yesterday morning he was willing...
...to make the statement that "his pos-...
...itively as he could remember he recog-...
...nized Mrs. Bolkin as the person to...
...whom he sold the arsenic."

...The direct testimony of Mrs. Na-...
...gus, formerly Miss Henney, was as...
...follows:

...On Sunday afternoon, July 31st 1898, be-...
...tween 3 and 4 o'clock, a woman came...
...to the store of Haas & Son and asked for...
...a box of chocolate candy. As I was...
...packing the boxes in the back she said...
...that she did not want it quite filled, as...
...she desired to put in something else. I...
...wrapped the package in brown paper...
...but like that shown me as an exhibit...
...in this case and which have been the...
...evidence of the package that arrived in...
...Dover, Del. The customer appeared to...
...be nervous. She told me several times...
...to make haste, as she was in a hurry.

...Byington then propounded the fol-...
...lowing:

...To Mrs. Bolkin, the defendant in...
...court, according to your best knowl-...
...edge and belief, the person to whom...
...you sold the candy?"

PARTIALLY IDENTIFIED.

...As far as general appearances are...
...concerned Mrs. Bolkin reminds me of...
...that person, but I can't say positively...
...that it was she. She is very much...
...the same in height, build and general...
...appearance."

...Have you seen the woman since you...
...could see the candy and noticed her move-...
...ments, appearance and demeanor?"

...Yes, sir.

...Can you now recognize the defendant...
...as the person who purchased the...
...candy?"

...She reminds me very much of the lady...
...but I am not sure it was she.

...At the former trial the witness made...
...her identification stronger. She was...
...shown the transcript, and after re-...
...freshing her mind from it, she said:

...I think it was the lady, but I am...
...not positive."

...Captain Seymour took the witness to...
...the prison to identify Mrs. Bolkin...
...after her arrest. I said it was not...
...positive it was Mrs. Bolkin who was...
...in the store; she is the mother of Mrs...
...B. Henney as to what opinion she ex-...
...pressed at that time.

...I remembered the incident because...
...of the fidgety manner of the per-...
...son, by her demands of me to...
...hurry up, and by her request not to...
...fill the box," was a statement of the...
...witness on cross-examination.

SOLD THE ARSENIC.

...Druggist Gray was recalled by the...
...defense, and Attorney Knight inter-...
...rogated him.

...What kind of arsenic was it that you...
...sold to the woman whose name appears...
...on the poison register as Mrs. Bolkin?

...Powdered arsenic.

...Is it different from the lump arsenic?

...Yes, powdered arsenic is as fine as...
...dust and is decidedly different from...
...lump arsenic.

...The witness was then taken in hand...
...by the prosecutor. In answer to a...
...series of queries, he made the fol-...
...lowing statement, supplemental to his...
...testimony of the preceding day, when...
...his identification of the person was...
...somewhat weak.

...As positively as I can remember...
...the defendant is the person to whom...
...I sold the arsenic. She has and...
...changed greatly in appearance."

...The defense cross-examined as fol-...
...lows:

...Have you not seen any one who re-...
...sembles Mrs. Bolkin?

...Yes, I have seen people with some of...
...her characteristics.

...Is she ten pounds heavier now than...
...she was?

...I do not perceive any difference in her...
...weight.

...Gray said that he had seen Mrs.



Mrs. Cordelia Bolkin, Defendant in the Celebrated Poisoning Case, Who Posed Yesterday for a "Chronicle" Camera Artist.
(Photograph by Haley)

...Bolkin in the company of John P...
...Dunning a number of times before the...
...day she came in for the arsenic.

...B. J. McVey was recalled to explain...
...that seven pieces of the candy were...
...taken from the box for analysis by...
...Professor Thomas Price on the ar-...
...rival of the witness in San Francisco...
...with all the evidence of the crime he...
...had gathered in Dover, Del. Before...
...John B. Pennington turned the box...
...over he made his initials on it, "J...
...B. P."

SAYS BOX WAS "DOGGED."

...Knight, on cross-examination, brought...
...out the fact that the box of...
...poisoned candy had been in the pos-...
...session of Chief Lee for some time...
...He then made declaration that the...
...Chief had "dogged" the candy in evi-...
...dence in order to elicit the cross-...
...against the defendant. The effect of...
...the lawyer's absurd statement was...
...nullified by the laughter it provoked...
..."I cannot for defense then asked the...
...clerk to produce the Bolkin case ef-...
...fects found in Chief Lee's office after...
...his death.

...The District Attorney has them,"...
...explained Judge Cook.

...Knight jumped to his feet instantly...
..."What?" he cried. "The District At-...
...torney has them? What right has the...
...District Attorney to have in custody...
...the exhibit in the first trial?"

..."They were not introduced in evi-...
...dence," explained the court. "And...
...when the District Attorney was pre-...
...paring his case he was allowed to have...
...the evidence that Chief of Police Lee...
...had gathered for the people."

...Knight continued to ask McVey...
...questions as to his participation in...
...the "dogging" of the chief exhibit for...
...the prosecution, but the witness met...
...each one with a square denial.

A TOUCH OF STORM.

...Assistant District Attorney Fernald...
...took occasion to object to the manner...
...in which Knight "thundered" at the...
...witness.

..."Oh, let him thunder," remarked...
...District Attorney Byington.

..."What's that?" demands Knight.

..."I have no objection to all you...
...thundering," answered Byington.

...Knight's attention was attracted in...
...another direction. And the impending...
...storm did not break.

...Then counsel for the defense inter-

...jected the assertion that Dr. Bishop...
...one of the physicians who attended...
...Mrs. Dunning and Mrs. Leane in their...
...last illness, had poisoned the child...
...late in order to save his professional...
...reputation, which was endangered be-...
...cause he had in mistake administered...
...arsenic to them.

...Mrs. E. P. Jones, who was Miss...
...Henney in 1898, and then an employe...
...in Haas' store, testified that she never...
...placed arsenic in any candy in the...
...store and never saw any one do so.

...Miss Annie Creamer, another em-...
...ploye gave testimony to the same...
...effect. Miss Annie Jensen gave the...
...District Attorney the same assurance.

...David R. Brown, druggist, employed...
...at the Star drug store, 1005 Market...
...street, in 1898, said that on June 1...
...1898 he sold lump arsenic to a...
...woman.

..."If you say whether, in form, size...
...and general appearance, Mrs. Cordelia...
...Bolkin resembled the person to whom...
...you sold the poison on or about June...
...1, 1898?" asked Byington.

..."The customer was stout, well...
...dressed and of nervous manner. I...
...could not describe her face."

...Knight addressed the court and...
...asked it to recall the testimony of...
...the witness at the former trial, when...
...Green said he could not identify the...
...defendant. "And so," asked Knight...
...her name, unless he commits perjury,"...
...advised the attorney.

...The District Attorney protested, but...
...Judge Cook quelled the threatened riot...
...in his lucidity.

...Knight read the following from the...
...transcript of witness' testimony in...
...the first trial:

..."Can you say how looking at this...
...woman that you feel she is the person...
...who purchased the arsenic?"

..."No."

...Green said the transcript was cor-...
...rect, but this time he would say that...
...he was "not sure" Mrs. Bolkin was...
...the buyer of the lump arsenic. No...
...poison register was kept in the store...
...and the witness is trusting to his...
...memory. Knight then asked:

..."How much did she let you to...
...sell in this case?"

..."Not a cent."

..."Have you ever been convicted of a...
...felony?"

..."No, sir."

..."How much arsenic did you sell this...
...woman?"

..."Two ounces."

...Whom did you first tell of the sale?...
...Mr. Gleason, one of the proprietors. It...
...was four months later that I informed...
...Chief Lee.

...Were you merely trying to get some...
...free advertising for the drug store?

..."No, that would not be likely. Inas-...
...much as they discharged me."

...You went to Los Angeles in the...
...company of Chief Lee to look over this...
...defendant, did you not, and when you...
...had done this you were not able, were...
...you, to identify Mrs. Bolkin positively...
...as the person who bought the arsenic...
...from you?"

..."That is correct."

SAW THE CANDY SOLD.

...Mrs. G. W. Clark, who was Miss...
...Katie Deitner in 1898, and has since...
...married an attaché of the United...
...States Mini, testified that she was...
...employed in the candy store of Haas...
...and Son on the afternoon of July 31...
...1898, and saw Miss Henney sell a one-...
...pound box of fancy candy to a woman...
...customer.

..."I will call your attention to the...
...defendant, Cordelia Bolkin, and ask...
...you if the lady who was in the store...
...companied in general appearance, ac-...
...tional and movement of body?" ad-...
...dressed the District Attorney.

..."To the best of my recollection, it...
...is the same person, that is, the same...
...in general appearance."

...The only part the witness took in...
...the sale of the candy was to pass the...
...box of tissue wrapping paper to Miss...
...Henney, the saleslady. In answer to...
...further questions of the defense, Mrs...
...Clark said she went to the City Prison...
...on the invitation of a detective to...
...identify Mrs. Bolkin shortly after the...
...defendant had been arrested.

...Now Mrs. Clark will you swear pos-...
...itively that Mrs. Bolkin was the person...
...who bought that candy?"

..."No, sir, I never had any recollection...
...of the lady's face."

...State what woman you have of identity...
...the woman who bought the candy.

..."She was stout and rather stout."

...The witness was shown the trans-...
...cript of her testimony at the first...
...trial, when she had made her identi-...
...fication of the defendant somewhat...
...slamper. She said she believed that...
...she had so testified, but she did not...
...change the testimony she had just...
...given.

AN ARSENIC THERE.

...G. F. C. Drage, who was the man-

...ager for the candy firm of Haas &...
...Co. in 1898, saw Miss Henney take a...
...fancy box out of the showcase and...
...fill it up on the afternoon of July 31...
...1898. In answer to a query of the...
...District Attorney the witness an-...
...swered:

..."To my knowledge I have never...
...had arsenic or any other poison in our...
...store or where the candy is manu-...
...factured."

...George William Haas, member of...
...Haas & Son, identified the box and...
...the candy mailed to Dover as similar...
...to that sold in the store in 1898. The...
...pink boxes, such as the one in which...
...the poisoned candy was packed, were...
...simplied exclusively to that firm in...
...1898. The witness could also tell from...
...an inspection of the candy that it was...
...of his make.

...Professor Thomas Price, the chemist...
...was called to tell of his analysis of...
...one of the poisoned candies, but he...
...was withdrawn in order that the...
...court could look up authorities before...
...ruling on the objection interpreted to...
...the defense.

SHUTTERED BY KNIGHT.

...Concerning the charge of Attorney...
...Knight that Chief of Police Lee had...
..."dogged" the box of candy, the Dis-...
...trict Attorney made the following state-...
...ment after adjournment:

..."I was shocked by the declaration of...
...Mr. Knight against Chief Lee. The...
...accusation he makes against a dead man...
...in order to make a point. I cannot...
...not make it at the former trial when...
...Lee was alive. I am ashamed of...
...Knight doing such a thing even in the...
...degradation of his case."

...It is now incumbent on him to prove...
...his assertion of to make any point. He...
...can't begin to prove our value of it...
...to support his charge. Think of the...
...immorality of his accusation. In other...
...words the dead Chief of Police is charged...
...with attempting a diabolical murder by...
...plotting to have an innocent woman...
...hanged for a capital crime."

...Knight has hurt his case by his re-...
...declaration. The people of San Fran-...
...cisco know that Lee was not well to give...
...evidence to the deification that he...
..."dogged" the candy. Why, who he did...
...the whole city went into mourning for...
...him.

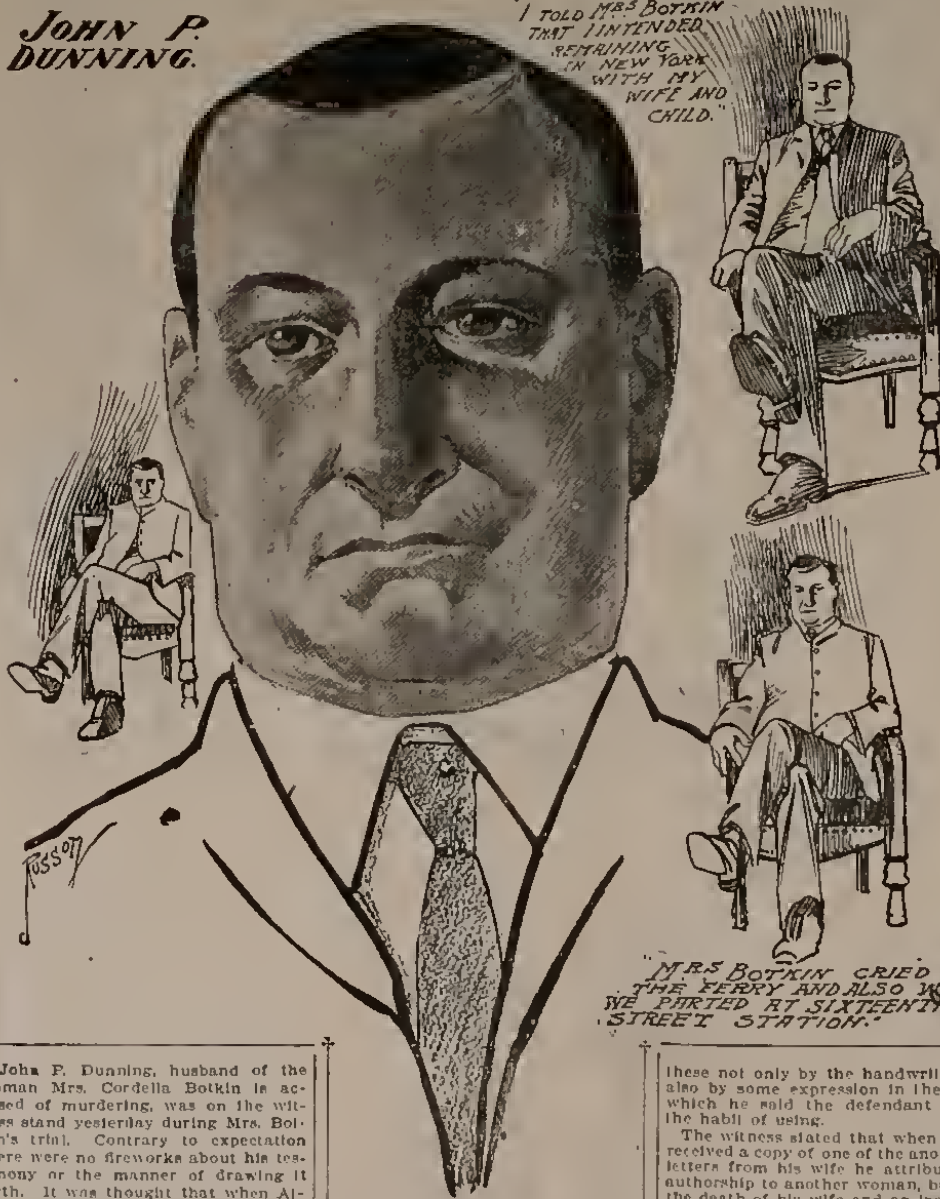
...A dispatch from Philadelphia, Pa.,...
...says that the death certificate of Mrs...
...Deane is also missing at Dover.

STAMP

CROSS-EXAMINATION OF J. P. DUNNING NOT SO RIGOROUS AS AT LAST TRIAL

Husband of One of Murdered Women in Botkin Case
Tells of the Relations Existing Between Him and
the Defendant Prior to the Poisoning of His Wife

**JOHN P.
DUNNING.**



John P. Dunning, husband of the woman Mrs. Cordella Botkin is accused of murdering, was on the witness stand yesterday during Mrs. Botkin's trial. Contrary to expectation there were no fireworks about his testimony or the manner of drawing it forth. It was thought that when Attorney Knight came to cross-examine the man for the love of whom the defendant is supposed to have sent from this city to Dover, Del., a box of poisoned candy addressed to Mrs. Dunning, through partaking of which Mrs. Dunning and her sister, Mrs. Deane, died from arsenical poisoning, hide in large patches would be torn from the witness and that he would be held up in contumely before the packed courtroom.

This did not happen, at least, not on the cross-examination. District Attorney Byington drew from the witness all the pertinent facts of the relations existing between the defendant and Dunning from the beginning of their acquaintance and there was little left for the defense to adduce to the disparagement of the witness. What little remained unrevealed was brought out by the defense, but Attorney Knight was clearly apprehensive that his cross-examination might develop facts prejudicial to his side of the case.

Indifference of the interest that was felt by the spectators to the trial was their actions after the noon adjournment. Fully 200 of them, as soon as they gained the corridor, lined up along the walls and fought for places with much the same spirit as the holders of tickets to the Corbett-Britt fight were compelled to do. Half of the throng were women and they stood more or less patiently for an hour and a half until the doors were thrown open for the afternoon session. Many of them had brought lunches and munching sandwiches and ate during their vigil. The attendance yesterday, while fully as large as in days past, was unmarked for the most part by prominent personages and well-dressed women. The police had less difficulty in controlling the crowd than previously.

EXEMPLARS INTRODUCED.

Outside of Dunning's testimony the day was mostly consumed by the prosecution in the introduction and proof of exemplars of the defendant's handwriting. The first of this class of witnesses to be called was Oscar A. Foster, a letter carrier, who delivered to Mrs. Botkin her mail in 1898 at the Victoria Hotel. He was shown two cards, giving the defendant's address on California street, which he claimed to have seen her write and identified them as her handwriting.

Captain John Seymour, formerly chief of detectives of this city and at the time of the first Botkin trial a detective sergeant who worked on the case, was next called and his familiar face and ready testimony made

him write during the year 1895, identified her signature on money orders made payable to her which she had cashed with them. When Raymond was giving his testimony Mrs. Botkin leaned far over to Attorney Knight and inquired in a plainly audible voice:

"Was that my double?"

District Attorney Byington jumped to the conclusion that the remark was intended for the jury and rose to protest. After he had voiced it Mrs. Botkin snuffed contemptuously and Knight smiled and let the matter drop. This was the only time the peace of the day was disturbed.

Detective Ed Gibson, who arrested Mrs. Botkin at Stockton in the latter part of August, 1898, on a charge of murder, was next called. He accompanied Captain Seymour to the room once occupied by Mrs. Botkin at the Victoria Hotel and took part in the investigation there. He corroborated Captain Seymour in his statements and denied that he had left any portion of a Hoas & Son's seal in the room for future discovery.

William Rosello, who claims to have found the seal introduced in evidence, was the next witness. He described finding the seal under the couch in the presence of M. W. Barnes, then a clerk at the Victoria Hotel, on September 7, 1898. He said it was under the couch, and explained the apparent oversight of the detectives by stating that it was under the fringe of the rug and not readily discernible. He thought that the rug had been partly turned in moving the couch. On cross-examination the witness grew indecisive and uncertain. He was not sure whether or not the couch had been moved at all, and couldn't state for certain whether the torn seat was under the rug or just at the edge of it. It was also developed that the witness had rendered his testimony last Friday and had also read Barnes' testimony in the newspapers.

DUNNING APPEARS.

Next came John P. Dunning and interest revived among the spectators. Dunning walked into the courtroom placidly and any emotion he felt over the situation was carefully masked. Not so with the defendant. From the time of his entrance until he was finally dismissed from the stand she scarcely took her eyes from him, ex-

these not only by the handwriting but also by some expression in the letters which he said the defendant was in the habit of using.

The witness stated that when he first received a copy of one of the anonymous letters from his wife he attributed the authorship to another woman, but after the death of his wife and an inspection of the originals he came to the conclusion that they were written by Mrs. Botkin.

On cross-examination Dunning admitted that almost from the beginning of the acquaintance between himself and the defendant their relations had been improper, even when his wife was with him in this city. He admitted having received and accepted from her while in Salt Lake \$40 or \$50, which he said was all the money she had ever given him. Asked if he had ever received money from other women, he replied that at the time of the departure of his wife for Dover he had been given \$500 by Mrs. Corbally, a mutual friend of theirs.

When Dunning returned from Salt Lake he resumed his relations with Mrs. Botkin, and shortly before his departure for Cuba to act as a correspondent he lived at the Victoria Hotel, where Mrs. Botkin had a room. He admitted how he broke the news to her that he was going to Havana, and said that she pleaded with him to abandon the project, saying that he would be better off in this city. At that time he informed her that he did not intend to return to San Francisco, but on his return from Cuba would take up his residence in New York City with his wife and child. On the night of his departure she accompanied him to the Sixteenth street station, in Oakland, and cried bitterly on the ferry and at the parting on the train.

"Did the defendant ever give you money to cover your defalcation with the Associated Press?" asked Knight.

"She did not," replied Dunning.

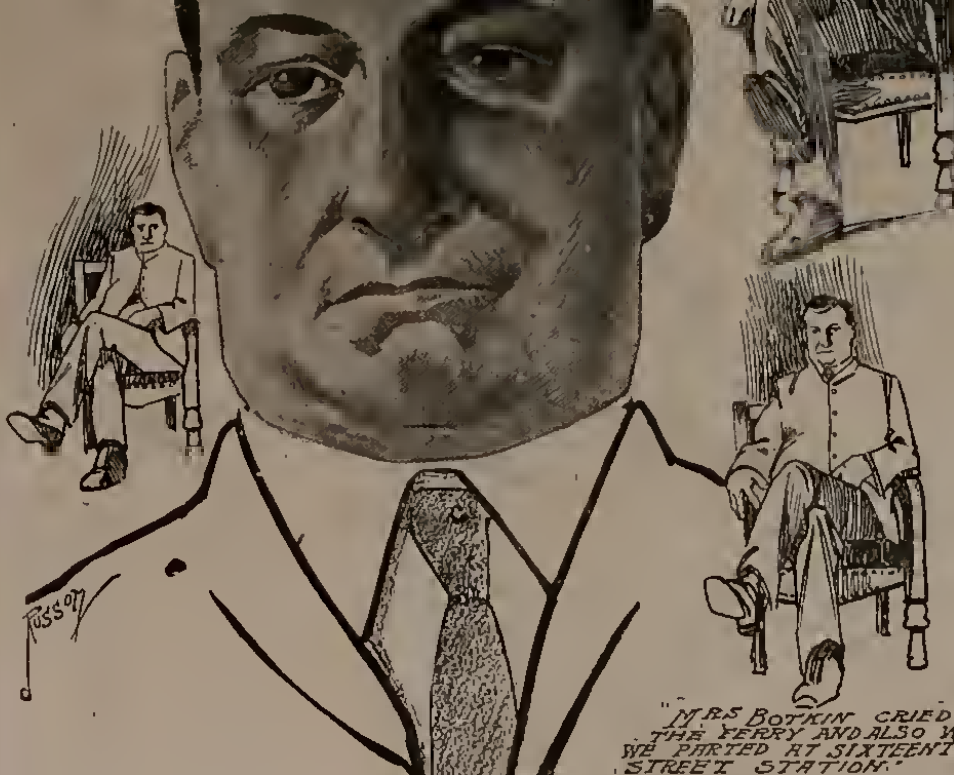
"Did any woman ever give you money to cover that defalcation?"

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Mrs. Almah Ruoff was recalled to identify a card with Mrs. Botkin's address on it, which the witness claimed to have seen the defendant write, and this writing was admitted in evidence as an exemplar.

Mrs. Maggie Smith, in 1898 a cook at the Victoria Hotel, testified that on July 31 she saw Mrs. Botkin ascending the stairs of the hotel in a quiet, gliding manner, as though wishing to avoid detection. The witness placed the time as about 6 o'clock in the afternoon. She said that previously she had been told by Mrs. Prior, the landlady



"MRS. BOTKIN CRIED ON THE FERRY AND ALSO WHEN WE PARTED AT SIXTEENTH STREET STATION."

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Captain John Seymour, formerly chief of detectives of this city and at the time of the first Botkin trial a detective sergeant who worked on the case, was next called and his familiar face and ready testimony made a pleasant impression. In company with Detective Ed Gibson, he related the room occupied by Mrs. Botkin at the Victoria Hotel after the news of the murders had reached this city and while the defendant was under suspicion of being the author of the crimes. He said he had examined the effects which Mrs. Botkin left in storage there and had looked for arsenic and twine, but had found none.

Attorney Knight went to the witness in a businesslike manner, but Captain Seymour introduced his good nature and answered the cross-examination without any show of irritability. To a question of Knight's as to whether or not he had placed a seal from Haas & Son's candy shop on the floor during any one of his visits, the witness said he had not. This question was to relation to a portion of such a seal which William Rosillo claims to have found in the room vacated by Mrs. Botkin only a month after she left the Victoria Hotel. Captain Seymour also said that he had not noticed during his investigation a scrap of paper with writing on it lying on the couch in the room previously occupied by Mrs. Botkin. This scrap of paper was also claimed to have been found by Rosillo when he moved into the room vacated by Mrs. Botkin.

CLAIMS A DOUBLE.

Julius Fay, formerly a deputy city and county assessor, and William Raymond, formerly cashier of the City of Philadelphia, were called, both of whom claimed to have seen Mrs. Bot-

HUSBAND OF MRS. BOTKIN'S ALLEGED VICTIM, WHO TESTIFIED AT TRIAL YESTERDAY

kin write during the year 1898, identified her signature on money orders made payable to her which she had cashed with them. When Raymond was giving his testimony Mrs. Botkin leaned far over to Attorney Knight and inquired in a plainly audible voice:

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Next came John P. Dunning and interest revived among the spectators. Dunning walked into the courtroom placidly and any emotion he felt over the situation was carefully masked. Not so with the defendant. From the time of his entrance until he was finally dismissed from the stand she scarcely took her eyes from him, except to consult the transcript of the testimony given at the first trial. Dunning for the most part carefully avoided her gaze, but would occasionally send a wavering look in her direction, which was quickly withdrawn before her time expired.

Further questions of the District Attorney told the story of his acquaintance with the defendant and the details of it were not particularly pertinent. He first met her in 1894 or 1895, when he was residing in this city with his wife and child. She was then known to him as Adelaide Kirk, but within a short time he learned that her name was Cordelia Botkin and that she had a husband living in Storkton. He detailed at length all the changes of residence the defendant had made during their acquaintance and how he had been a constant visitor at each place. Even on the direct examination the information was plain that the relations between the two were criminal.

In 1897, the defendant said, he went to Salt Lake, where he worked as a paper. During that time he received from Mrs. Botkin many letters and often wrote to her. He had seen her acquaintance and said he was acquainted with her handwriting. He identified the handwriting of the defendant as being the handwriting of wrapper of the box at poisoned candy received by his wife at Dover and said that in his opinion the two anonymous letters sent to Mrs. Dunning introduced into evidence were also the work of Mrs. Botkin. He recognized

these not only by the handwriting but also by some expression in the letters which he said the defendant was in the habit of using.

The witness stated that when he first received a copy of one of the anonymous letters from his wife he attributed the authorship to another woman, but after the death of his wife and an inspection of the originals he came to the conclusion that they were written by Mrs. Botkin.

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Mrs. Almira Russ was recalled to identify a card with Mrs. Botkin's address on it, which the witness claimed to have seen the defendant write, and this writing was admitted in evidence as an exemplar.

Mrs. Mable Smith, in 1895 a cook at the Victoria Hotel, testified that on July 31 she saw Mrs. Botkin ascending the stairs of the hotel in a quiet, gliding manner, as though wishing to avoid detection. The witness placed the time at about 6 o'clock in the afternoon. She said that previously she had been told by Mrs. Price, the landlady, that Mrs. Botkin was ill and that dinner would have to be sent to her room. The prosecution lays much stress on this evidence, because that was the afternoon on which Mrs. Botkin is alleged to have purchased at Haas & Son's shop the candy subsequently published and sent to Mrs. Dunning. Mrs. Price is ill and it may be necessary to hold court at her bedside in order to secure her testimony in corroboration of Mrs. Smith.

J. W. Kravis, in 1898 a postal inspector, was called as an expert and identified the postmarks on the envelopes enclosing the anonymous letters as showing that they were mailed in San Francisco.

Joseph S. Stevens, stenographer in Department 12 of the Superior Court, where the last trial was held, identified the transcript of the proceedings, when a letter written in Governor Budd, signed "Cordelia Botkin," and asking that assignment as nurse with the troops going to the Philippines be given the writer, was admitted to be in her handwriting by her attorney. Another letter was shown to have been admitted to be in the handwriting of the defendant in a similar manner. The District Attorney offered them as exemplars of Mrs. Botkin's handwriting, but an objection was entered and Judge Cook took the matter under advisement.

Practically all the testimony for the prosecution, except that of handwriting experts, is now in. It is thought the case for the State will be submitted this week.

The hearing will continue this morning at 10 o'clock.

MORBID WOMEN STRUGGLE FOR SIGHT OF MRS. CORDELIA BOTKIN



Introduction of First Testimony in the Second Trial of the Famous Murder Case---Exhibits Identified.

WITH the introduction of the first testimony in the trial of Cordelia Botkin yesterday morning, a motley crowd packed Judge Cook's courtroom, and a throng of the curious was at the entrance clamoring for admission. Powerful policemen had to be sent for to control the crush and turn away the hundreds for whom there were neither seats nor standing room. Many women were struggling in the dense pack of humanity with which the officers had to cope, and of the exerts they were the more insistent and unreasonable. Abrupt authority had to be shown and the gathering could well be likened to a mob that had abandoned all good sense. Only the strength of the bulky policemen held it in check, and they took the precaution to keep a space clear in front of the doors, which they thought in danger of being forced down.

Before the day was over the officers were compelled to arrest one woman who refused to heed the statement that there was no room left until the command that she must move away from the door.

"I want to see Mrs. Botkin and hear the trial," she declared, "and you are not going to stop me." Policemen Edwards and Eagle tried persuasion without avail, then started to remove her by force. She set up a wall that could be heard throughout the hall, and the result was that she was locked up in prison for disturbing the peace. She was Mrs. Cordelia Burbank, and she said that her home was on Fourth street. She was still in prison last night.

Inside the courtroom every available space was occupied. Women constituted about half the assemblage, and were as content with standing throughout the day as were the men who shared with them the discomfort occasioned by the lack of seats. The attack here allied during the morning session, and the view of those who had seats was obstructed by the crowd that stood in the passage-way along the railing immediately behind the bar. In the afternoon, however, Judge Cook would permit auditors to stand only in the aisles along the walls, no more were given admittance. In the corridor the jam finally quieted down and simply waited in the hope that someone would come out, when the policemen would allow one to enter to take his place.

TRIED TO AVOID CROWD.

The deputy sheriff delayed half an hour after adjournment before starting with the defendant for the county jail. This wait was for the purpose of avoiding the crowd that tingers about to catch a near glimpse of Mrs. Botkin. The police had about succeeded in driving off the herd, but six women phalanxes themselves at the elevator and would not budge. The officers sneezed and sneezed, but the solid six only bunched closer. Finally the deputy sheriff decided to make the dash for the cage, the exact notwithstanding, and as she swept by Mrs. Botkin was ogled at but she is well accustomed by this time to the stares of the morbid.

The trial proceeded with dispatch during the day, and, of course, there was a row or two among counsel, Attorney Knight and District Attorney

Byington explained, would be related to the jury to exonerate it of her guilt.

IDENTIFIES EXHIBITS.
Oscar Tolle, former clerk in Judge Cook's court, was the first witness. He had charge of the exhibits at the former trial, and they have since remained in his custody. He identified them all before turning them over to Clerk Wells. Among them was the box of candy in which the cream chocolates were poisoned with arsenic, and of which Mrs. Dunning and Mrs. Deane partook with fatal results. The wrapper, the handkerchief and the note in Mrs. Dunning were also introduced in evidence. The note read: "With love to yourself and baby, Mrs. D."

Miss Lizzie L. Kemp, formerly the assistant to the Postmaster at Dover, Del., told of receiving the package for Mrs. Dunning on August 9, 1898, in the mail from the West at 3:25 P. M. The witness noticed it as it was dumped out of the pouch, and she at once sorted it out to be placed in the postpaid box of the Pennington family. He noticed particularly that it was addressed to Mrs. John P. Dunning.

In the cross-examination by Attorney Knight, the war of words between him and the District Attorney took place. The lawyer for the defense was asking her at length as to what compensation she expected to receive for coming across the continent to testify. She answered that all that had been assured her were the expenses of the trip and so much a day as the State might allow.

"Do you expect to get \$500?" asked Knight.

"No."

"Would you take \$400?"

"You wouldn't pass it by," interjected Byington, addressing his opponent.

"That is more than counsel for the defendant is getting for the trial of this case," replied Knight.

"We will have to take your word for that."

"I swear it, I swear it, before my God, I swear it."

PLAYING TO THE JURY.

"Mr. Knight, you are making a speech here for effect before this jury. This is not the proper time or place for such a speech, and you know it."

Judge Cook at this juncture commanded order in his sternest voice.

But Knight was not to be subdued.

"Now, who began it?" he shouted.

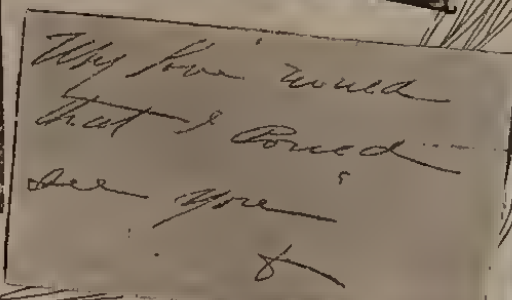
"Why, this little fellow behind me here," he added, as he turned and pointed at the District Attorney.

Byington also kept up the shouting by declaring that he would be able to take care of himself. Both the attorneys were growling and aroused in high anger. The Court made several efforts before he got them to trying the case again.

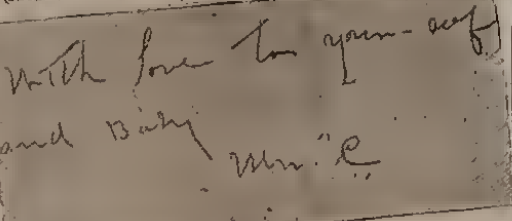
Then came the testimony of Harry C. Pennington, "the boy" who went to the Postoffice on the evening of August 9, 1898, and carried home the messenger of death to the Pennington household. He was then 18 years of age, but he has now grown to manhood.

In answer to the questions, he gave the following testimony: "My home is in Wilmington, Del., but in August, 1893, I was spending vacation with my grandparents, Mr. and Mrs. John B. Pennington, at Dover, Del. On the evening of August 9, 1898, shortly before 6 o'clock the family had dinner, which consisted of trout, corn fritters,

BOX CONTAINING THE POISONED CANDY



FACSIMILE OF MRS. BOTKIN'S HANDWRITING (ADMITTED TO BE GENUINE)



THE NOTE ACCOMPANYING THE BOX OF CANDY



MISS ETHEL J. MILLINGTON.

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John B. Pennington, the grandfather of the witness, had been offered some of the cream chocolates, but he refused to eat them. The witness said that he ate three of the chocolates. Both his grandparents, John B. Pennington and Mrs. Pennington, have died since the tragedy.

Elizabeth Dunning, who picked out the "nonpareil" chocolate from the box, was not taken ill so far as illness was aware. He was attended by Dr. Bishop, Mrs. Deane was treated by Dr. Dwyne, while both were called in to administer to Mrs. Dunning.

INVITED TO EAT CANDY.

Miss Josephine Bateman of Dover, Del., a public-school teacher, who partook of the candies Mrs. Dunning received, was next called by the prosecution. She testified that in 1898 she lived about three blocks distant from the Pennington home.

"On the evening of August 9, 1898," she said, "between 6 and 7 o'clock, I was passing the Pennington home, and was called in by Mrs. Dunning, who was seated with others on the porch. Mrs. Dunning showed me a box of candy, with a handkerchief and a mysterious note that she was puzzling over."

The witness identified the exhibits of the candies, the box, the handkerchief, the handkerchief and the note, which consisted of trout, corn fritters,

the wrapper. Of the latter she was able to make out four letters, "Fran."

Miss Millington took one piece of candy, one with a filling of soft cream. She returned home after a short time, and the next morning, just before going to breakfast, she began to feel ill. She had eaten her dinner the evening before at home, and no other member of the family became sick.

"I became deathly sick, was very much nauseated, and had a strong desire to vomit," said Miss Millington when told to describe her sufferings. She was sick all day Wednesday and all that night.

TELLS OF MOTHER'S DEATH.

Miss Lella Deane, whose mother was one of the victims of the poisoned candy, was the next witness. Joshua D. Deane is her father, she explained, and John B. Pennington and Mrs. Pennington were her grandparents. She was at their home with her mother when the tragedy was enacted.

After we finished dinner in the evening of August 9, 1898, Harry Pennington went to the Postoffice and returned with the package containing the candy. I took particular notice of the error in spelling Delaware, with the "e" in place of the first "a," and of the postmark, of which I could make out "Fran."

After my aunt had opened the box and spent some time in trying to decide who sent her the candy, she passed it around. My mother partook of the cream chocolate. I don't know what kind Mrs. Dunning took.

Little Elizabeth Dunning ate only of the "nonpareils" and did not get sick. My mother and I took a walk uptown to visit friends, and we returned to the Pennington house about 10 o'clock. Mother was taken sick about midnight. I boxed her all. She was vomiting and



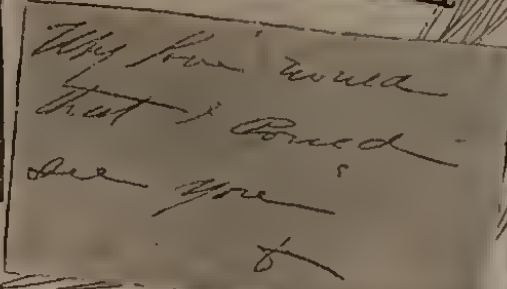
JOSHUA A. DEANE

MISS LIZZIE L. KEMP, WITNESS FROM THE DOWNS POST OFFICE

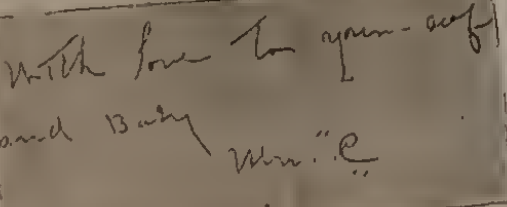


MISS JOSEPHINE BATEMAN

BOX CONTAINING THE POISONED CANDY



FACSIMILE OF MRS. BOTKINS' HANDWRITING (ADMITTED TO BE GENUINE)



THE NOTE ACCOMPANYING THE BOX OF CANDY

HARRY C. PENNINGTON



JOSHUA A. DEANE

Introduction of First Testimony in the Second Trial of the Famous Murder Case--Exhibits Identified.

WITH the introduction of the first testimony in the trial of Cordelia Batkin yesterday morning, a noisy crowd gathered in Cook's courtroom, and a throng of the curious was at the entrance clamoring for admission. Powerful policemen had to be sent for to control the crowd and to keep the hundreds of women who were waiting outside from entering. Many women were struggling in the dense pack of humanity with which the office was filled, and of the extra they were the more impatient and unreasonable. Abrupt authority had to be shown and the gathering could well be likened to a mob that had abandoned all good sense. Only the strength of the bully policeman held it in check, and they took the precaution to keep a space clear in front of the doors, which they thought in danger of being forced down.

Before the day was over the officers were compelled to arrest one woman who refused to heed the statement that there was no room left and the command that she must move away from the door.

"I want to see Mrs. Batkin and hear the trial," she declared, "and you are not going to stop me." Policemen Edwards and Engle tried persuasion without avail, then started to remove her by force. She set up a yell that could be heard throughout the hall, and the result was that she was locked up in prison for disturbing the peace. She was Mrs. Cordelia Batkin, and she said that her home was on Fourth street. She was still in prison last night.

Inside the courtroom every available space was occupied. Women consulted about half the assembly, and were as content with standing throughout the day as were the men who shared with them the discomforts occasioned by the lack of seats. The ladies were ill-dressed during the morning session, and the view of those who had seats was obscured by the crowd that stood in the passages along the walls immediately behind the bar. In the afternoon, however, Judge Cook would permit auditors to stand only in the aisles along the walls, no more were given admittance. In the corridor the hum finally quieted down and simply trailed in the hope that someone would come out, when the policemen would allow one to enter to take his place.

TRIED TO AVOID CROWD.

The deputy sheriffs delayed half an hour after adjournment before starting with the defendant for the county jail. This wait was for the purpose of avoiding the crowd that hung about to catch a near glimpse of Mrs. Batkin. The police had about succeeded in driving off the herd, but six women phalanxed themselves at the elevator and would not budge. The officers shooed and shooed, but the solid six only hurried slower. Finally the deputy sheriffs decided to make the dash for the cage, the result notwithstanding, and as she stepped by Mrs. Batkin was seized at the wrist and escorted by this time to the stairs of the morbid.

The trial proceeded with dispatch during the day, and, of course, there was a row or two among counsel. Attorney Knight and District Attorney Byington had a sharp dispute in the selling of the clothes that were the case. They almost ran into each other with Judge Cook, but he has already indicated by his manner that the lawyers must eliminate fights and efforts at off-side plays to the jury.

District Attorney Byington made his opening statement for the prosecution immediately on the opening of court for the morning. He gave a resume of the evidence adduced at the first trial for the people, and declared that a chain of circumstances would be established such as would prove the guilt of Mrs. Batkin beyond the peradventure of a doubt. It would be shown, he said, that the defendant had purchased candy in a local drug store, had bought the candy at three on Market street, and that the handkerchief accompanying the package when it arrived at the home of John B. Pennington, where Mrs. John P. Dunning and Mrs. J. F. Deane also as the result of having eaten the sweets, had also been purchased by the defendant in this city. The relation of intimacy between the defendant and John B. Dunning, husband of one of the murdered women, would be proved to establish a motive for the crime. It would also be demonstrated, the District Attorney stated, that the handwriting of the letter on the candy package was that of Mrs. Batkin. Other acts of the defendant and circumstances that had been gathered against her, Mr. By-

ington explained, would be related to the jury to convince it of her guilt.

IDENTIFYING EVIDENCE.

Harold Telle, former clerk in Judge Cook's court, was the first witness. He had charge of the exhibits at the former trial, and they have since remained in his custody. He identified them all before turning them over to Clerk Wells. Among them was the box of candy in which the cream chocolates were poisoned with arsenic, and of which Mrs. Dunning and Mrs. Deane partook with fatal results. The wrapper, the handkerchief and the note in Mrs. Dunning were also introduced in evidence. The note read "With love to yourself and baby, Mrs. E."

Mrs. Lizzie L. Kemp, formerly the assistant to the Postmaster at Dorsey, Del., told of receiving the package for Mrs. Dunning on August 9, 1898, in the mail from the West at 5:25 P. M. The witness noticed it as it was dumped out of the pouch, and she at once sorted it out to be placed in the postoffice of the Pennington family. He noticed particularly that it was addressed to Mrs. John P. Dunning.

In the cross-examination by Attorney Knight, the war of words between him and the District Attorney took place. The lawyer for the defense was asking her at length as to what compensation she expected to receive for coming across the continent to testify. She answered that all that had been assured her were the expenses of the trip and so much a day as the State might allow.

"Do you expect to get \$300?" asked Knight.

"No."

"Would you take \$400?"

"You wouldn't pass it by," interrupted Byington, addressing his opponent.

"That is more than counsel for the defendant is getting for the trial of this case," replied Knight.

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PLAYING TO THE JURY.

"Mr. Knight, you are making a speech here for effect before this jury. This is not the proper time or place for such a speech, and you know it."

Judge Cook at this juncture commanded order in his sternest voice. But Knight was not to be subdued.

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Byington also kept up the shouting by declaring that he would be able to make sure of himself. Both the attorneys were glowing and aroused in high anger. The Court made several efforts before he got them to trying the case again.

Then came the testimony of Harry C. Pennington, the boy who went to the Postoffice on the evening of August 9, 1898, and carried home the messenger of death to the Pennington household. He was then 16 years of age, but he has now grown to manhood.

In answer to the questions, he gave the following testimony: "My home is in Wilmington, Del., but in August, 1898, I was spending vacation with my grandparents, Mr. and Mrs. John B. Pennington, at Dorsey, Del. In the evening of August 9, 1898, shortly before 8 o'clock, the family had dinner, which consisted of meat, corn fritters, bread and butter. After dinner I went to the Postoffice for the mail, and there found the candy package in the box, addressed to my aunt, Mrs. John P. Dunning. I took it home and delivered it to her on the front porch. With her then came her daughter, Elizabeth, aged 6 years, Lella Deane, 14 years, and Mrs. Deane."

WHEN CANDY WAS RECEIVED.

Byington asked the witness what Mrs. Dunning remarked after she had examined the box and its contents. Judge Cook overruled an objection of the defense, and Pennington stated that Mrs. Dunning expressed surprise at the receipt of the candy, and wondered as to who the sender could be, the note with the signature of "Mrs. E." giving no clue to identity of any friend.

Mrs. Dunning then passed the box among those on the porch, Mrs. John P. Pennington, Lella Deane, Elizabeth Dunning and the witness, and the candy was partaken of freely.

All went on a walk about the streets, and later, on their return home, played a game of parchess. There were then no complaints of illness.

Not until the next morning, when Pennington awoke about 7 o'clock, did he feel any sickness. He had a dull ache in his head and was nauseated. He subsequently learned that the other members of the household were ill with similar symptoms. Mrs. Deane and

Mrs. Dunning were in about the same condition he was. He recovered in two days. Lella Deane remained sick for a week. Mrs. Deane died Thursday afternoon, August 11th, and Mrs. Dunning passed away about 9 o'clock on Friday. The faces of both were much swollen after death.

John B. Pennington, the grandfather of the witness, had been offered some of the cream chocolates, but he refused to eat them. The witness said that he ate three of the chocolates. Both his grandparents, John B. Pennington and Mrs. Pennington, have died since the tragedy.

Elizabeth Dunning, who picked out the "nonpareil" chocolate from the box, was not taken ill so far as witness was aware. He was attended by Dr. Bishop, Mrs. Deane was treated by Dr. Dornas, while both were called in to administer to Mrs. Dunning.

INVITED TO EAT CANDY.

Mrs. Josephine Bateman of Dorsey, Del., a public-school teacher, who partook of the candies Mrs. Dunning received, was next called by the prosecution. She testified that in 1898 she lived about three blocks distant from the Pennington home.

"On the evening of August 9, 1898," she said, "between 6 and 7 o'clock, I was passing the Pennington home, and was called in by Mrs. Dunning, who was seated with others on the porch. Mrs. Dunning showed me a box of candy, with a handkerchief and a mysterious note that she was puzzling over."

The witness identified the exhibit of the candy, the box, the wrapper, the handkerchief and the note, as they were shown her by the District Attorney, Counselor. Miss Bateman said, in response to a series of questions:

Mrs. Dunning passed me the box and asked me to take some chocolates. I had one piece, a chocolate covered piece with nuts and inside. The candy was soft, and there were left three small lumps in my mouth. I noticed them a few minutes and then threw them on the ground. When I returned home I moved a kitchen substance from out of sight and hid with a secret headdress, and did not return until Thursday. I was afflicted as if with cholera morbus.

I learned that the foreign substance in the candy, which I caught in my mouth, was arsenic. My gums and the inside of my mouth were sore, and I had a bad taste in my mouth. I had eaten nothing but the candy Mrs. Dunning offered me before I became ill.

Mrs. Ethel J. Millington began her testimony by saying her father, with whom she has her home, is a watchmaker in Dorsey, Del. On the evening of August 9, 1898, about 7 o'clock, the witness called at the Pennington home, where she found Mrs. Dunning and the others on the porch. Mrs. Dunning had a box of candy in her hands, the handkerchief and the note. She told the witness of the mystery concerning the identity of the person who had sent the gift. The witness had a squinted the address and the postal cancellation stamp on

the wrapper. Of the latter she was able to make out four letters, "Fran."

Mrs. Millington took one piece of candy, one with a filling of soft cream. She returned home after a short time, and the next morning, just before going to breakfast, she began to feel ill. She had eaten her dinner the evening before at home, and no other member of the family became sick. "I became drowsy, sick, was very much nauseated, and had a strong desire to vomit," said Mrs. Millington when told to describe her sufferings. She was sick all day Wednesday and all that night.

TALK OF MOTHER'S DEATH.

Mrs. Lella Deane, whose mother is one of the victims of the poisoned candy, was the next witness. Joshua D. Deane is her father, she explained, and John B. Pennington and Mrs. Pennington were her grandparents. She was at their home with her mother when the tragedy was enacted.

After we finished dinner in the evening of August 9, 1898, Harry Pennington went to the Postoffice and returned with the package containing the candy. I took particular notice of the error in spelling, "Penning" with the "n" in place of the first "a," and of the postmark, at which I could make out "Fran."

After my aunt had opened the box and sent some time in trying to divine who sent her the candy, she passed it around to my friends, and we returned to the Pennington house about 10 o'clock. Mother was taken sick about midnight. I heard her call. She was vomiting and very ill. She continued all day Wednesday and all Thursday afternoon. I decided not to tell her she was constantly calling for water, and decided that she was burning up inside. Her face became swollen and she suffered in her house. Mrs. Dunning who was in a good room, was ill just as my mother was.

The only symptoms I suffered were the pain in vomiting.

Harry Pennington, Mrs. Deane and Mrs. Pennington, ate a chocolate candy, but those who became ill in our household. Those who ate the other candies were not affected.

My grandmother, Mrs. Pennington, took a piece of candy, but soon after she felt ill, with the remark that it was not good candy.

"At least three or four persons had one cream chocolate," answered the witness in one of Knight's queries. The cream chocolates were the pieces in which the arsenic had been introduced.

Mrs. Deane said that in 1898, when occurred the circumstances concerning which she testified, she was 14 years of age.

Court was adjourned to 10 o'clock this morning.



MISS ETHEL J. MILLINGTON

PROSECUTION IN THE BOTKIN TRIAL INTRODUCES EVIDENCE BEARING ON DEFENDANT'S HANDWRITING

Kytka Testifies as an Expert in the Matter.

Says Mrs. Botkin Addressed Box of Candy.

The biggest gun of the prosecution was fired yesterday in the trial of Mrs. Cordella Botkin for the murder of Mrs. John P. Dunning in August, 1898. Mrs. Dunning and her sister, Mrs. Joshua D. Deane, died from the effects of eating poisoned candy, which was sent to the former at Dover, Delaware, from this city, and Mrs. Botkin was accused of having sent the candy for the purpose of ridding Dunning of his wife.

In connection with other circumstantial evidence that connects the defendant with the crime are the address on the wrapper of the box of bonbons, a note contained in it and two anonymous letters written to Mrs. Dunning telling her of the relations existing between her husband and Mrs. Botkin. Exemplars of Mrs. Botkin's handwriting which are admitted to be genuine have been introduced in evidence and Theodore Kytka, the handwriting expert, has made an exhaustive analysis and comparison of the various specimens of handwriting. He was on the stand yesterday and gave it as his unqualified opinion that the hand that penned the address of Mrs. John P. Dunning on the wrapper of the box of candy, that wrote the note contained in the box and that indited the two anonymous letters was the same that wrote the "Budd" and "Price" letters, as called, which are admittedly the genuine handwriting of Mrs. Cordella Botkin.

To illustrate the ground upon which he based his opinion, Kytka had taken fifty-six exemplars of admittedly genuine Botkin chirography and enlarged them photographically. Beneath these he placed similar letters or words from the disputed writings and exhibited them on a screen about fourteen feet tall and six feet wide. With a broken horseship for a pointer he showed the jury the similitude between the exemplars and the disputed writing in the formation of the letters, the spacing, divisions between certain letters and other characteristic marks that gave him the basis for his opinion.

The enlarged photographs were allowed for the purpose of illustration only, after a vigorous objection by Attorney Knight on behalf of the defense, and Judge Cook cautioned the jury that they were not to be regarded as evidence in any way.

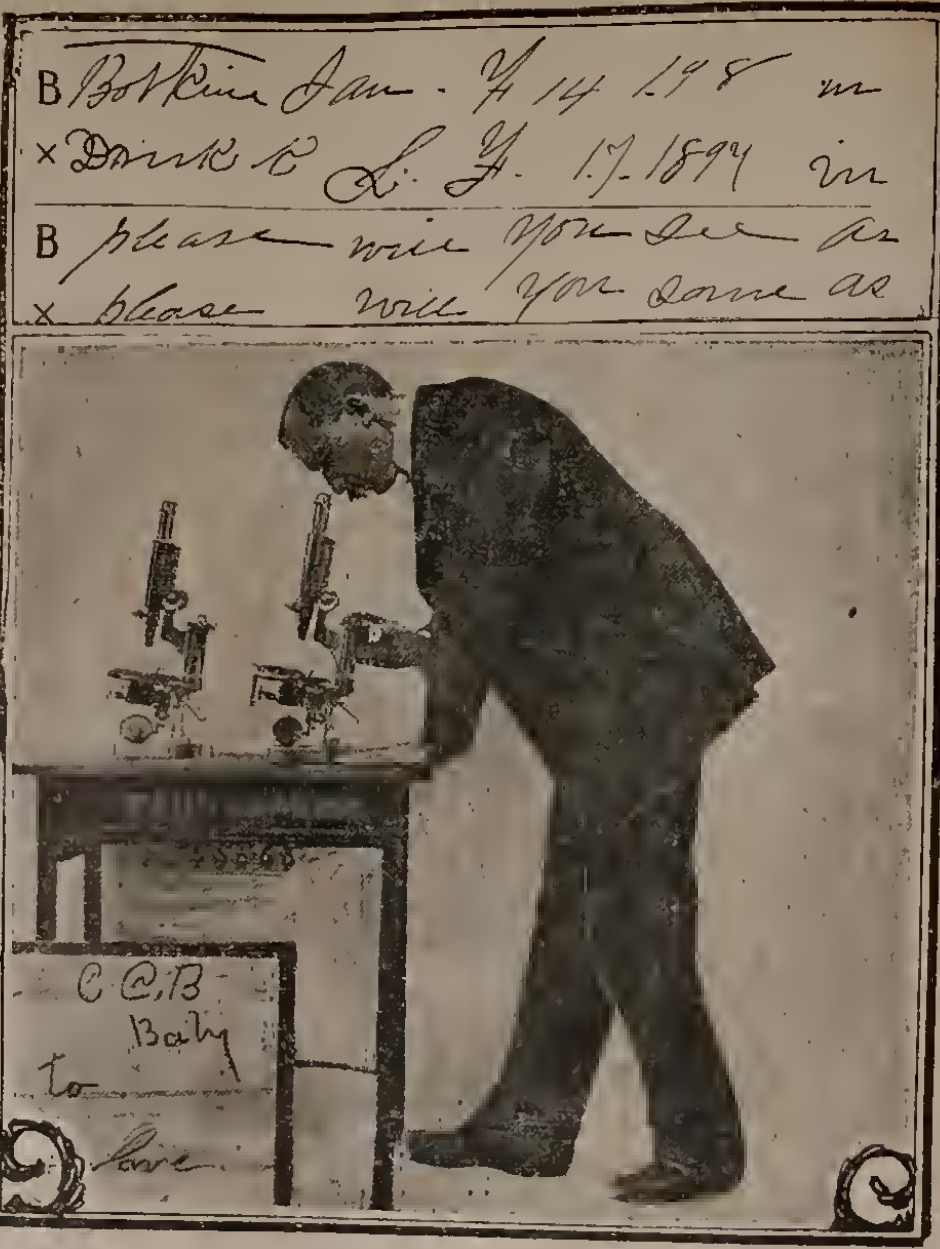
DIVERTING FEATURE.

Kytka's cross-examination was one of the diverting features of the trial. During it there were frequent passages between the witness and Attorney Knight, and when these reached a climax and Assistant District Attorney Ferial attempted to sit in the game, Judge Cook lost his temper altogether and threatened to send both attorneys to jail and to impose a fine for contempt on the witness. This threat brought quiet for a little while, but the trouble broke out in spots all during the cross-examination of the handwriting expert.

The usual demand for adjournment to the proceedings kept four policemen busy regulating the crowd and preventing the courtroom from becoming unacceptably crowded. During the afternoon session one woman fainted and was carried out by a policeman. She was revived in the corridor with some difficulty and went home. She gave her name as Mrs. Evans and her address as 405 Stockton street.

John A. Hoerner, who, in 1898, was Assistant District Attorney and took a leading part in the conduct of the first Botkin trial, was the first witness called. He was asked in regard to the so-called "Budd" and "Price" letters and some signatures on money orders cashed by Mrs. Botkin, and he testified that at the first hearing of the case Attorney Knight, on behalf of his client, had admitted these to be in her handwriting.

Attorney McGowan bitterly fought the admission of this testimony, maintaining that no admission of Knight's prejudice in the interests of the defendant could be used against her. Judge Cook took an opposite view and on the testimony of Hoerner admitted the writings in evidence as exemplars of defendant's handwriting. The "Budd" letter is one written to Governor Budd by Mrs. Botkin asking for assignment as a nurse with the troops going to the Philippines, and the "Price" letter is one written from Hildesheim by the defendant to the landlady of the Victoria Hotel in this city.



HANDWRITING EXPERT KYTKA AND SOME OF HIS ENLARGEMENTS OF ADMITTEDLY GENUINE WRITING BY MRS. BOTKIN, AS COMPARED WITH OTHER CHARACTERS IN THE DISPUTED DOCUMENTS. THE LINE "B" IS THE ADMITTED WRITING AND "X" IS THE DISPUTED WRITING.

Mrs. Dunning, but the attempt was a failure.

Dr. V. G. Wilson followed to testify that Mrs. W. W. Barnes, who, as Mrs. Price, was landlady in 1898 of the Victoria Hotel, was ill in bed and unable to answer a subpoena. It may become necessary to hold a session of the trial at her bedside in order to secure her testimony.

Then came Kytka with his photographic enlargements of writings, admitted and contested, and the fun began. In addition to the large screen was a smaller one bearing enlargements of the notes enclosed in the candy box, reading: "With love to yourself and baby, Mrs. C." and an admittedly genuine exemplar of Mrs. Botkin's handwriting with the words: "Would that I could see you, my love." Knight fought exceedingly hard to have these enlargements ruled out of court and was unwilling that they be put in the use of illustrating what the handwriting expert wished to explain.

MAKES FITTER PROTEST.

"There is no reason," he protested, "why this courtroom should be turned into a photographic gallery for the purpose of illustrating something that is not and never can be in evidence."

During the discussion over the admissibility of the photographs Knight referred to Byington as "Lucky Byington," but the District Attorney ignored the taunt and thus avoided a spat. Judge Cook finally ruled that the photographs might be used for illustration and Kytka continued his testimony.

He said that he had made photographic enlargements of all the writings in the case and examined them microscopically. He identified the wrapper on the box of candy as the one admitted to him previous to the first trial. All the other writings were shown to him in turn and he recognized among the luggage he had brought with him and found the corresponding photographs and negatives. In producing them he incurred Knight's anger, who claimed that "by a simple twist of the wrist" the witness was exposing the photographs in the jury. The court said that was improper and warned the witness.

Under questions from the District Attorney, Kytka explained the enlargements on the screen of the fifty-six exemplars of defendant's handwriting and the...

the afternoon and the audience was given three-quarters of an hour respite from the conundrum into which the dry routine of testimony had plunged him. Knight began squarely by inquiring how Kytka went about his work when a specimen of handwriting was submitted to him to be examined as to genuineness. The witness explained that he picked out all the points in the case, weighed them one against another and then came to a conclusion.

"In all the examinations you made of these writings in this case," asked Knight, "did you find a single point in favor of Mrs. Botkin?"

"At first I did," was the answer. "I found ten or fifteen, but on examining the writing further I discovered that these points were the result of an attempt at disguising her handwriting and that the genuineness of it was undoubted."

"Were you an expert in the Dillard case?"

"I was, and he was convicted."

"On your testimony?"

"Yes."

"Isn't it a fact that the jury acquitted him on twenty-nine counts on which you testified that he committed forgery and only convicted him on one charge, and with that you had nothing to do?"

The witness started to explain, and Knight demanded an answer, "yes" or "no." Byington interjected with an objection, and Judge Cook ruled that the matter was not relevant.

"Were you an expert in the James E. Davis case?" asked Knight.

"I was your expert," said the witness.

"Were you right or wrong in that case?"

"I was right, and nobody knows it better than you."

"I don't know anything of the kind," snapped Knight. "Were you a witness in the Pifer will contest and didn't you pronounce the will a forgery?"

"I did. It was a rank forgery."

"And Chief Lee came to you with the ink still wet on the will?"

OBJECTION INTERPOSED.

not been hired by the police to prosecute the case.

"No, sir," said Kytka, "I never prosecute or persecute anybody."

The witness was asked if he had ever secured some of the exhibits and answered that he had by an order of the court and with Knight's permission.

"As a matter of fact did you not substitute for some of the genuine exhibits others of your own manufacture?"

"No, sir," yelled the witness.

THE STORM BREAKS.

Another storm broke. Byington objected and Knight said he would pursue the substitution by Oscar Tolle, formerly clerk in Judge Cook's court. Kytka was shouting "He's crazy, crazy, crazy," and showing in pantomime with his hands what he thought about the brain matter concealed under Knight's scantly gray hair. The Judge warned him that he would fine him for contempt if he made any similar comments.

At one stage of the examination Knight asked that Kytka be disqualified because he was evidently unfair. Judge Cook dismissed the motion contemptuously. Kytka was asked if he ever recalled employment from attorneys and if he was not willing to take any side of a case provided he got a fee. He answered in the negative.

"Did you not call on Sam Shum, ridge and offer your services in the Dillard case and when they were rejected?"

Points Out Similarity Between Exemplars.

Judge Cook Warns Attorneys to Behave.

jected sell yourself to the other side?" "No, sir; that's a lie," protested the witness.

"Even if Shortridge says it so?" "I don't care who says it's so; it's a lie."

During Kytka's direct and cross-examination Mrs. Botkin was worked up to a highly nervous state and frequently her emotion found vent in rapid speech with her attorneys. She watched the elaborate tracings of the expert anxiously as he pointed out the similarity between her own writing and that of the disputed instruments and was evidently pained when his examination was concluded.

Daniel T. Ames, another handwriting expert, was the last witness of the day. His testimony was practically a repetition of Kytka's delivered in a less interesting fashion and without the exciting features of the preceding witness. He will be cross-examined this morning.

Joshua D. Deane, died from the effects of eating poisoned candy, which was sent to the former at Dover, Delaware, from this city, and Mrs. Boklin was accused of having sent the candy for the purpose of ridding Dunning of his wife.

In connection with other circumstantial evidence that connects the defendant with the crime are the address on the wrapper of the box of bonbons, a note contained in it and two anonymous letters written to Mrs. Dunning telling her of the relations existing between her husband and Mrs. Boklin. Exemplars of Mrs. Boklin's handwriting which are admitted to be genuine have been introduced in evidence and Theodore Kytko, the handwriting expert, has made an exhaustive analysis and comparison of the various specimens of handwriting. He was on the stand yesterday and gave it as his unqualified opinion that the hand that penned the address of Mrs. John P. Dunning on the wrapper of the box of candy, that wrote the note contained in the box and that indited the two anonymous letters was the same that wrote the "Budd" and "Price" letters, so called, which are admittedly the genuine handwriting of Mrs. Cordella Boklin.

To illustrate the ground upon which he based his opinion, Kytko had taken fifty-six exemplars of admittedly genuine Boklin cigraphy and enlarged them photographically. Beneath these he placed similar letters or words from the disputed writings and exhibited them on a screen about fourteen feet tall and six feet wide. With a broken horizonship for a pointer he showed the jury the similitude between the exemplars and the disputed writing in the formation of the letters, the spaciou, divisions between certain letters and other characteristic marks that gave him the basis for his opinion.

The enlarged photographs were allowed for the purpose of illustration only, after a vigorous objection by Attorney Knight on behalf of the defense, and Judge Cook cautioned the jury that they were not to be regarded as evidence in any way.

DIVERTING FEATURE.

Kytko's cross-examination was one of the diverting features of the trial. During it there were frequent passages between the witness and Attorney Knight, and when these reached a climax and Assistant District Attorney Ferrat attempted to sit in the game, Judge Cook lost his temper altogether and threatened to send both attorneys to jail and to impose a fine for contempt on the witness. This threat brought quiet for a little while, but the trouble broke out in spots all during the cross-examination of the handwriting expert.

The usual demand for admittance to the proceedings kept four policemen busy regulating the crowd and preventing the courtroom from becoming insufferably crowded. During the afternoon session one woman fainted and was carried out by a policeman. She was revived in the corridor with some difficulty and went home. She gave her name as Mrs. Evans and her address as 105 Stockton street.

John A. Hosmer, who, in 1898, was Assistant District Attorney and took a leading part in the conduct of the first Boklin trial, was the first witness called. He was asked in regard to the so-called "Budd" and "Price" letters and some signatures on money orders passed by Mrs. Boklin, and he testified that at the first hearing of the case Attorney Knight, on behalf of his client, had admitted these to be in her handwriting.

Attorney McGowan bitterly fought the admission of this testimony, maintaining that no admission of Knight's prejudicial to the interests of the defendant could be used against her. Judge Cook took an opposite view and on the testimony of Hosmer admitted the writings in evidence as exemplars of defendant's handwriting. The "Budd" letter is one written to Governor Budd by Mrs. Boklin asking for assignment as a nurse with the troops going to the Philippines, and the "Price" letter is one written from Healdsburg by the defendant to the landlady of the Victoria Hotel in this city.

KNIGHT STARTLES CROWD.

After Hosmer had finished Attorney Knight startled everybody by calling for John P. Dunning, whom he wished to examine further. Dunning appeared in court in his usual non-balant manner and was questioned closely in regard to his relations in Mrs. Corbally, from whom he had testified he borrowed \$300 at one time. He said he had often accompanied her to the Palace baths and had drunk with her in cafes. Knight wanted to know what kind of a bathing suit Mrs. Corbally wore and whether the suits were taken in day time or at night. It developed that the bathing suit was of the regulation style and that suits were indulged in both day and night. Dunning admitted that he sometimes paid Corbally's life insurance premium, generally with money given him by Mrs. Corbally.

"Did you ever pay it with money given you by Mrs. Boklin?" asked Knight.

"Never," said Dunning. Dunning testified that Mrs. Corbally came to live with himself and wife at California street at his wife's invitation and that the two women were close friends. Knight tried to bring the inference that Mrs. Corbally's interest in Dunning might have prompted her to send the box of poisoned candy to



HANDWRITING EXPERT KYTKO AND SOME OF HIS ENLARGEMENTS OF ADMITTEDLY GENUINE WRITING BY MRS. BOKLIN, AS COMPARED WITH OTHER PHOTODUPLICATIONS IN THE DISPUTED DOCUMENTS. THE LINE "B" IS THE ADMITTED WRITING AND "X" IS THE DISPUTED WRITING.

Mrs. Dunning, but the attempt was a failure.

Dr. W. G. Wilson followed to testify that Mrs. W. W. Barnes, who, as Mrs. Price, was landlady in 1898 of the Victoria Hotel, was ill in bed and unable to answer a subpoena. It may become necessary to hold a session of the trial at her bedside in order to secure her testimony.

Then came Kytko with his photographic enlargements of writings, admitted and contested, and the fun began. In addition to the large screen was a smaller one bearing enlargements of the notes inclosed in the candy box, reading, "With love to yourself and baby, Mrs. P." and an admittedly genuine exemplar of Mrs. Boklin's handwriting with the words, "Would that I could see you, my love." Knight fought exceedingly hard to have these enlargements ruled out of court and was unwilling that they be put in the use of illustrating what the handwriting expert wished to explain.

MAKES FURIOUS PROTEST.

"There is no reason," he protested, "why this courtroom should be turned into a photographic gallery for the purpose of illustrating something that is not and never can be in evidence."

During the discussion over the admissibility of the photographs Knight referred to Byington as "Lady Byington," but the District Attorney ignored the taunt and thus avoided a spat. Judge Cook finally ruled that the photographs might be used for illustration and Kytko continued his testimony.

He said that he had made photographic enlargements of all the writings in the case and examined them microscopically. He identified the wrapper on the box of candy as the one admitted to him previous to the first trial. All the other writings were shown to him in turn and he recognized among the luggage he had brought with him and found the corresponding photographs and negatives. In producing them he incurred Knight's anger, who claimed that "by a simple twist of the wrist" the witness was exposing the photographs to the jury. The court said that was improper and warned the witness.

Under questions from the District Attorney, Kytko explained the enlargements on the screen of the fifty-six exemplars of defendant's handwriting and the corresponding references from the disputed writings. His testimony was full of technical expressions: "Hooks," "lumps," "terminations," "contractions," "construction," "initial point," and various other phrases flowed from him freely and he traced the resemblances with his pointer. More damaging to the defendant than the expert's explanation was the view the jury had of the enlargements, which showed to a startling degree a similarity between Mrs. Boklin's admitted handwriting and the genuineness of the note in the candy box and the address on the wrapper.

When Kytko was asked to point out the similarity of the handwriting on the wrapper of the candy box and that of the two anonymous letters he said it was so evident that to explain it would be a waste of time and he passed the two over to the jury.

CROSS-EXAMINATION.

Knight took the expert in hand for cross-examination about 3 o'clock in

the afternoon and the audience was given three-quarters of an hour respite from the ordeal into which the dry routine of testimony had plunged it. Knight began squarely by inquiring how Kytko went about his work when a specimen of handwriting was submitted to him to be examined as to genuineness. The witness explained that he picked out all the points in the case, weighed them one against another and then came to a conclusion.

"In all the examinations you made of these writings in this case," asked Knight, "did you find a single point in favor of Mrs. Boklin?"

"At first I did," was the answer. "I found ten or fifteen, but on examining the writing further I discovered that these points were the result of an attempt at disguising her handwriting and that the genuineness of it was undoubted."

"Were you an expert in the billiard case?"

"I was, and he was convicted."

"On your testimony?"

"Yes."

"Isn't it a fact that the jury acquitted him on twenty-nine counts on which you testified that he committed forgery and only convicted him on one charge, and with that you had nothing to do?"

The witness started to explain, and Knight demanded an answer "yes" or "no." Byington interposed with an objection, and Judge Cook ruled that the matter was not relevant.

"Were you an expert in the James E. Davis case?" asked Knight.

"I was your expert," said the witness.

"Were you right or wrong in that case?"

"I was right, and nobody knows it better than you."

"I don't know anything of the kind," snapped Knight. "Were you a witness in the Phoebe Will contest and didn't you pronounce the will a forgery?"

"I did. It was a rank forgery."

"And Chief Lees came to you with the ink still wet on the will?"

OBJECTION INTERPOSED.

An objection was interposed, which relieved the witness from answering the question.

"You were a witness in the Becker case, weren't you?" asked Knight.

"I was and he went across the bay and broke lock."

"Well, didn't you testify that he had pointed in the body of the check with a brush?"

Again Byington interposed an objection, and then the storm broke.

"I want to show," roared Knight, "that this man is unqualified as an expert. Why, everybody knows that in the Becker case he made a monkey of himself and was the laughing stock of the community."

"On the contrary," shouted Assistant District Attorney Ferrat. "Becker confessed that he did point in the body of the check."

Kytko was talking at the same time, and Judge Cook, red and angry, was endeavoring to get a hearing. Finally he succeeded.

"Mr. Knight," he said, "this thing has gone far enough. If you make any more of these kind of remarks I'll send you to jail."

During the hubbub attending this declaration Knight arose to his feet and asked on what grounds he had been threatened with imprisonment.

"Because the remarks you make are entirely improper," said the Judge.

"Then why allow the District Attorney to make them?"

"It is at fault also, and I'll send you both to jail on a repetition of the offense."

Knight asked the witness if he had

not been hired by the police to prosecute the case.

"No, sir," said Kytko. "I never prosecute or persecute anybody."

The witness was asked if he had ever secured some of the exhibits and answered that he had by an order of the court and with Knight's permission.

"As a matter of fact did you not substitute for some of the genuine exhibits others of your own manufacture?"

"No, sir," yelled the witness.

THE STORM BREAKS.

Another storm broke, Byington objected and Knight said he would prove the substitution by Oscar Tolle, formerly clerk in Judge Cook's court. Kytko was shouting "He's crazy, crazy, crazy," and showing in pantomime with his hands what he thought about the brain matter concealed under Knight's scanty, gray hair. The Judge warned him that he would fine him for contempt if he made any similar comments.

At one stage of the examination Knight asked that Kytko be disqualified because he was evidently unfair. Judge Cook displayed the motion contemptuously. Kytko was asked if he ever solicited employment from attorneys and if he was not willing to take any side of a case provided he got a fee. He answered in the negative.

"Did you not call on Sam Shortridge and offer your services in the Boklin case and when they were re-

Handwriting of the handwriting experts was begun shortly after the opening of court in the morning. Knight was then examining Expert Theodore Kytko when the trouble occurred during a colloquy with the jurors and counsel for the prosecution he refused to be affirmed, after repeated commands from the court, until the court's words about prison took some startlingly from the bench. Even then Knight talked back, but a final "Stop that," in a tone that precluded further trifling, put a quietus on the entertaining language.

Handwriting Experts Daniel T. Ames and Theodore Kytko were the important witnesses of the day, and gave strong testimony against the defendant. They pronounced her second all doubtful, the letter of the address on the package of poisoned candy that arrived in Denver, Dec. 9, 1898, and caused the death of Mrs. John P. Dunning and Mrs. Joshua D. Peano. They said there could be no question that Mrs. Bolkin mailed the "baby" note enclosed with the candy, and the authorship of the two anonymous letters Mrs. Dunning had received before her death, incriminating her of lifeless conduct on the part of her husband in San Francisco was also ascribed to the defendant. Elucidate enlargements by photograph of the various writings were brought into court, and in detail the experts explained the results of their studies and the incriminating evidence of similarity against Mrs. Bolkin.

DUNNING REMAINED

John P. Dunning was recalled by the defense during the morning and asked searching questions concerning the situation that had existed between himself and Mrs. Corbaley prior to the death of his wife. Knight's effort was to show that there might as well have been a motive on her part for Mrs. Dunning out of the way as on the part of Mrs. Bolkin, as is testified to by the prosecution. The witness admitted that Mrs. Corbaley had loaned him \$500 and that he had enjoyed her society in a good Bohemian way, but defendant's counsel did not make much success of trying to shift the burden of the motive to other shoulders.

It was expected that Knight would now give Dunning the gruffing that had been looked for, but it was not forthcoming.

John A. Hosmer, who as assistant district attorney conducted the prosecution of the first trial, testified as to the admission by the defense at that time of several exemplars of handwriting. The witness also recalled some testimony by the defendant wherein she admitted that she left the city for St. Helena on August 1, 1898, the day the box of poisoned candy was presumed to have been mailed. In telling her story under oath five years ago Mrs. Bolkin said she went to the ferry depot about 3:30 o'clock in the afternoon, checked a trunk, and left for the country. The box of fatal sweets was dropped at the ferry terminal station.

ENJOYED A SWIM TOGETHER.

John P. Dunning, recalled by the defense, testified that in 1898 he lived at the Marguerite Hotel while Mrs. Corbaley resided there. He admitted that they had gone to the baths together and enjoyed a swim or two.

Did you ever drink with Mrs. Corbaley? Yes, in some extent. Were you ever in her room at night? Yes often in the early evening. Wasn't your conduct such with Mrs. Corbaley that the other people in the hotel came to chum her? Objection sustained.

Knight wanted to know what kind of bathing suits were worn during the swimming parties—whether the "cut-away kind" or the kind that are "not so much cut away."

"The regulation bathing suits, and there was nothing improper about them," answered the witness.

Mrs. Corbaley's husband was at that time in Texas. She loaned Dunning \$500 during this time.

What claim did you have on Mrs. Corbaley in approach her for such a loan? Long friendship.

Did Mrs. Corbaley ever come to live with you? Yes, she came to live with my wife and myself on California street, her being laid up there with injuries he had received in an accident.

Who paid the life insurance on Mr. Corbaley's life? I sometimes did it for Mrs. Corbaley on accommodation.

Did you ever get money from Mrs. Bolkin to pay the debt?

No. Was there correspondence between you and Mrs. Corbaley while you were in Sacramento?

Did you continue your relations with her?

No. Why?

Because I was expecting all my attention on Mrs. Bolkin about that time. Was Mrs. Corbaley a friend of your wife?

She was the most intimate friend my wife had in San Francisco.

Dr. W. G. Wilson was called in to prove that Mrs. W. Wilson, who was Mrs. Peano, and undressed in the Victoria Hotel when Mrs. Bolkin lived there in 1898, was in no condition to come to court. Her testimony will be taken later on, in court if she is proven, at her bedside. If she does not, she saw Mrs. Bolkin go out the afternoon she is said to have purchased the poison, and can also testify as to the departure of the defendant on August 4, 1898.

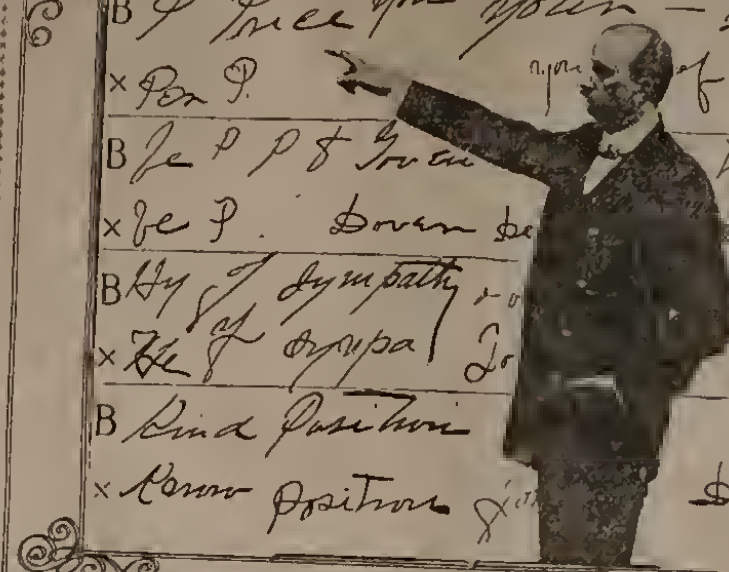
IDENTICAL WRITING.

The first branch of the case for the prosecution—that of expert testimony on handwriting—was then opened and Theodore Kytko, the well known photographic authority, was called. He had prepared photographic enlargements of the exhibits on an unusual scale, and caused evidence in pictorial argument over the authenticity of the various letters.

During the cross-examination, Byington declared that Knight never had any legal authority to appoint him counsel.

Now the principles of law and justice were pointed up, all forgotten with a brood, and

x Rud 5 So Mrs. Mrs Mrs Mrs
B Love to to Mrs Which Yours
x Love to to with With yours
B Mrs C.C. B B o o b y y heart
x Mrs. "C" Baby Hope
B P Price you your - a feet
x Per P. you of
B Je P P & You & Clue
x Je P. Down de
B Hy J Sympathy & o
x Je J Sympa To Love
B Kind Position
x Know Position & o Drumm



Expert Theodore Kytko and his innumerable photographic exhibit of Bolkin case writings. The exemplars marked "B" are in the undeposited writing of Mrs. Bolkin. Those marked with a cross are from the anonymous letters sent to Mrs. Dunning and from the address on the box of poisoned candy.

don't have to read them out of the books every time I need them," replied defendant's counsel. "They must come to you by inspiration," commented the District Attorney.

"Well, I can't learn anything from poor Lady Byington, at any rate—I can learn no law from Lady Byington," responded Knight, with a curl, he couldn't make Byington angry, and the little whiff of excitement was over.

District Attorney Byington showed the witness the address on the wrapper of the poisoned box of candy and the note that Mrs. Dunning found enclosed when she opened the package.

"The same hand wrote both," declared the witness, answering Byington. He was then shown exemplars of Mrs. Bolkin's proved handwriting, in comparison with the criminal exhibits, and the expert said the script was all that of one and the same person. In this roundabout way he declared the defendant to be the author of the candy-box note.

"With four to yourself and lady," (laughed Mrs. C.) He passed the same opinion on the anonymous letters and on the candy package address, "Mrs. John P. Dunning, Denver, Delaware."

Kytko had a hand which reached past the ceiling, curved with photographic enlargements, side by side of a writing which authorship is disputed and of that known to be the genuine handwriting of Mrs. Bolkin. The expert had selected the most effective words for comparison, and in detail talked of strokes and characters, and the similarity of which he based his conclusions against the defendant. The heavy cross over the letter "k," the large formation of the letter "a," the slanting down stroke instead of the loop in making the "y," a peculiar lifting of pen or pencil to make the loop at the top of a perpendicular stroke to form a capital "f" and an angle instead of a loop in writing the letter "h," were some of the characteristics that Mrs. Bolkin's identified script had the witness said stood forth plainly in the disputed writings. In a general way, the individuality could be seen in the writing which the defendant had attempted to disguise.

A "CANDY BOX" NOTE.

In the candy box note the "C" of the signature was a tall tale full of evidence, said Kytko. It was written in an unusual way and in capital letters are to be found throughout all the letters of the defendant. "In 'C' in the candy box, with a loop at the top of a straight downward stroke, also occurred frequently in her identified writings."

Knight began his cross-examination by asking if in all the investigations the witness had found any points in favor of Mrs. Bolkin.

"I have," he answered at first, but later he said that about all "hundreds of them," were against her.

In four long experience as an expert with your own eyes?

"I have seen. In the fifteen years I have studied handwriting I have not made a mistake in a case I am human, but I am sure I have never made any mistake for I was always sure before I went into testimony."

What you did a witness in the Jacob A. Davis case and was not called into that case?

"I was called. I did not make a mistake, and nobody knows it better than I do. You were in the case."

You were in the Barker-Karpis case, were you not?

Yes, and I broke back. Is it not a fact that you did break back and a fact that you did break back and a fact that you did break back with a brood, and

that they made a monkey of you when you were on the stand?" He did point it up with a brush, and then poked it to you.

The shuffling was well under way. Ferial joined in the clamor with the declaration that speaker, in his confusion, said he did use a brush in preparing the fingered check.

Knight had kept on talking. District Attorney Byington was shuffling an objection and Judge Cook was commanding order.

Knight paid no heed to the court. "Becker did not use a brush. He made no confession to that effect. His hat panned on him, and Kytko was made the laughing stock of the court and of his profession throughout the 'Barker-Karpis' case."

Knight was giving loud tongue, and showed no respect to the repeated calls for order that Judge Cook was sounding. Finally the court made himself heard.

THREATENED WITH JAIL.

"Mr. Knight, you stop right here or I will send you to jail," came the heated words of the judge. "I won't have any further such discussion here."

"How about the District Attorney?" asked the formidable Knight. "I will send you both to jail."

"Well, send him along. I am willing to go to jail," was Knight's last say for then came a stern, unmistakable "Stop that!" from Judge Cook.

The witness said the Supreme court had not decided what they would pay him for his expert testimony. He would be glad if he got as much as \$500.

"Didn't you be subterfuge and fraud, get the exhibits out of court to photograph them?"

"You are crazy," answered Kytko. Judge Cook had to interfere again.

Daniel T. Ames gave expert testimony, in which he too, declared that there could be no question that the defendant wrote the package of poisoned candy note and the anonymous letters in Mrs. Bolkin's handwriting. He gave in account of the comparisons he had made between the identified and disputed letters.

He pointed out the general character of the script he pointed out was the same. He also explained the similarity of formation of many letters, and described the points in which Mrs. Bolkin, he said, had tried to disguise her hand successfully. The capital "C" to the signature of the candy box note is a particularly incriminating in his opinion.

Mrs. Bolkin of his Stockholm street a tape-label, fastened during the afternoon announcing a party in the name of the defendant. The police were quickly removed her.

SAYS HE MADE TWO TRANSFERS

Notary Testifies in Brennan's Defense Against Embezzlement Charge of Father Grey.

R. W. Putnam, a notary public of Paso Robles, was the principal witness for the defense before Police Judge Fritz yesterday in the hearing on the felony embezzlement charge preferred by Rev. P. J. Grey against Dr. Thomas F. Brennan.

The notary swore that he had executed two bills of sale covering a watch, chair, cross and money from Father Grey to Dr. Brennan at Paso Robles, and that at the time he noted that the priest was extremely set in his way, and was not only a keen business man but appeared to have all his faculties unimpaired. This is intended as rebuttal of the testimony that Father Grey was a published invalid who had not transferred any of his \$20,000 property to Brennan known.

Photographs of houses at which the priest had resided, under care of Brennan, were introduced to show the claim that he had been kept in poverty. The housekeeper of the place in Mendota testified that Grey was provided with all the comforts he required, and a clergyman from Alameda who visited him testified that he was satisfied that everything possible had been done for the invalid as far as his observation went.

Further hearing was continued until Saturday.

DRUG CLERK GRAY DECLARES HE SOLD ARSENIC TO MRS. BOTKIN

First Testimony in Present Trial Tending to Connect Defendant With the Poisoning of Mrs. Dunning.



MISSING PAPER

THE FIRST testimony in the present trial connecting Coriella Botkin with the murder of Mrs. John P. Dunning was introduced yesterday. It was that of Frank S. Gray, the clerk employed in the first drug store in 1898, who says that on June 1st of that year, almost two years ago, he sold arsenic to Mrs. Dunning. His identification of Mrs. Botkin as the woman who sold the arsenic to Mrs. Dunning was made yesterday. The death certificate of Mrs. John P. Dunning, for whose murder Mrs. Coriella Botkin is on trial, is in the possession of the San Francisco Police Department. It is missing from the office of the Recorder of Deeds. The statement of Mrs. Botkin's death, and as it is the statement of a witness for the defense of Mrs. Botkin, Dr. L. A. H. Bishop at first indicated for the defense of Mrs. Botkin's death was due to cholera morbus. The record of the death on the books in Recorder Cooper's office plainly shows that death

MRS. CORDELIA BOTKIN AS SHE APPEARED IN
HER CELL AT THE COUNTY JAIL,
MARCH 20, 1904.



(PHOTO BY ESTEY.)

This remarkable photograph of the celebrated prisoner, Mrs. Cordelia Botkin, now on her second trial for the poisoning of Mrs. John P. Dunning and her sister, is the first taken since her arrest for the crime five years ago. Some mysterious influence saved her the humiliation of posing before the "Rogue's Gallery" camera, and she is the only woman taken into custody in the past five years on a murder charge of whom the police identification bureau has no Bertillon measurements.

PROSECUTION IN THE BOTKIN CASE MAKES A DISCOVERY

THE prosecution in the Botkin case made a discovery after court adjourned yesterday which they declare clinches the case against Mrs. Botkin. They call it the strongest direct evidence yet obtained that she sent the poisoned candy to Mrs. John P. Dunning. For the first time Theodore Kytko, the handwriting expert, was allowed to have the two admitted letters of Mrs. Botkin—the anonymous letter received by Mrs. Dunning and the wrapper from the candy box—in his possession at the same time. He spread them under a magnifying glass, and is declared by the prosecution to have discovered simple evidence having nothing to do with the characteristics of the writing which proves beyond all peradventure of a doubt, even to the lay eye, that the same hand wrote all the documents. A sensation is promised when this new evidence is sprung.

WILL GO TO THE JURY THURSDAY

Defense in Botkin Case Presents Evidence to Refute Some of the More Important Testimony for Prosecution

CORDELLA BOTKIN spent the most comfortable day yesterday since her trial for murder began. The defense presented evidence to refute some of the important testimony of the prosecution, and it was not a bad showing. She appeared in much better spirits than usual and was frequently in lively conversation with her counsel. The day was sunny, the atmosphere of the courtroom was warm, and the defendant made free use of a fan, in addition to the exceptionally large quantity of women in attendance on the trial. Once she almost ran away, a whisper that she called attention of her lawyers and wanted to tell the court that she had admitted her signature in various money orders. In District Attorney was using in cross-examination.

According to the present outlook, the case will go to the jury Thursday afternoon. The defense will have only this morning, and if the prosecution has nothing new to spring, it will finish rebuttal by noon. The argument will, in that event, begin at 2 o'clock, presumably by the assistant district attorney. Judge Cook gave all of his attention to the defense, and the District Attorney will close Thursday noon. The instructions of the court will be given and the case submitted to the jury that afternoon.

Three points of importance were set forth by the defense yesterday. First, it was shown that there was no written record in the City of Paris dry goods store of the sale to Mrs. Botkin of the handkerchief which was found by Mrs. Dunning in the box of poisoned candy. Mrs. Ike Tucher, formerly Mrs. Harris, testified that she sold the handkerchief to the defendant, but the fact that there is no sales tag making record of the sale is an unusual circumstance in the mercantile system of the store.

Second—Witnesses from Humboldt county, swore that Mrs. Botkin was calling her sister there June 17th that one of the anonymous letters was mailed from San Francisco to Mrs. Dunning informing her of the relations between her husband and "an English woman" in this city. It is the theory of the prosecution that the defendant wrote both the anonymous letters and that they tend to throw light on her motive for the crime.

Third—Dr. George M. Tyrell testified yesterday that on the afternoon of July 1, 1898, he treated the defendant in her room at the Victoria Hotel for a bilious attack. She was confined to her bed. It was on this afternoon Miss Harney testified she sold a box of candy at the store of Miss & Son to a woman whom she thought might have been Mrs. Botkin.

LACKMANN TESTIFIES.

John Lackmann, former Sheriff of the city and county, was the first witness the defense called in the rebuttal.

"Was the defendant in the County Jail on April 22, 1902?" was asked.

The prosecution made earnest objection. Then Knight explained that it was his purpose to prove that on April 22, 1902, Judge Cook (though he saw Mrs. Botkin on a street car; that he reported the matter to the witness, and said he was positive in his identification, that it would be shown that the prisoner was not out of the County Jail on that day, that the court would be asked to testify, and the case with which mistakes are made in identifications—an important element in the case at hand—would be demonstrated.

But Judge Cook shut off the prospect of making a witness of himself by refusing the testimony of Lackmann and anybody else concerning the street car episode as too remote, collateral and otherwise faulty.

Humboldt people to give letters to passengers to have them mailed in San Francisco?" Byington asked, but the Court ruled the question out, because it was proper only in rebuttal.

Mrs. Sprague, wife of the preceding witness, testified that in June, 1897, she met Mrs. Botkin at a card party in Eureka at the home of Mrs. C. F. Roberts.

J. H. Walkington of the City of Paris dry goods store in this city explained that he was employed there during May and June, 1898, in one of which months, according to the testimony of Mrs. Ike Tucher, formerly Mrs. Harris, she sold to the defendant the handkerchief found in the box of poisoned candy. The witness said that a duplicate bill was kept of every sale made in the store, and if the package was delivered there would be a record also of this fact.

NO RECORD IN HANDKERCHIEF.

"Have you a record in the City of Paris of the sale of two handkerchiefs by Mrs. Harris to Mrs. Cordella Botkin in May or June, 1898?"

"No, we never found one. The detectives asked us to look for any such record, but none was ever discovered."

Levi Lee, who was shipping clerk at the City of Paris in 1898, said he had never been able to find a record of any delivery of parcels to Mrs. Botkin at the Victoria Hotel in May, June or July, 1898. If the purchaser took the package from the store, there would be no record in the delivery department. The witness had made his search for an incriminating tag in the inventory of Chief of Police Lee, and that official had not allowed the hunt to drop until all hope was gone.

Thomas J. Ford, superintendent of mails in the San Francisco Postoffice, explained the course a candy package would take in being started for the East. It was not usual, he said, for distributing clerks to notice the name of an address. Their eye simply scanned the destination.

I went into the distributing room with Chief Lee, Inspector Bravin, Theodore Kytko and a stranger when they came to ascertain if any evidence could be discovered as to the mailing of the candy package. All the clerks were shown the dummy package, but not one of them could recall having seen such a package before. John E. Dunningan was asked particularly, because he was on the Western rack. But he said he could remember absolutely nothing in connection with the package.

We had started to leave, when someone called me and said Dunningan had recalled something. Chief Lee went back and talked with him, and then came to me, after they had conferred for several minutes, and told me that Dunningan remembered the package all right.

I struck my finger; I was bothered about it, because Dunningan had said his memory was a blank, and, furthermore, it seemed strange he could remember such a package so long after handling it. Inasmuch as so many packages like that go through the mails, I subsequently spoke to Dunningan about it. I asked him how he could remember the package of the package through his hands.

FAMILIAR WITH THE NAME.

"Was it because of the similarity of the name with your own?" I suggested.

"No, no," he answered.

His explanation was that he had worked around telegraph offices and he came familiar with the name of John P. Dunning.

"Do you know the reputation of John E. Dunningan for truth, honesty and integrity?" asked Knight.

The objection was sustained.

In his testimony Dunningan had stated that he recalled having sent Mrs. John P. Dunning, Dover, Del., "early in August, 1898," his attention being attracted because of the similarity with his own name. His testimony is, therefore, contradicted in a vital particular by the statement of Superintendent Ford.

Miss Farris Cunningham, a reporter who interviewed Mrs. Corbally in August, 1898, before Mrs. Botkin was arrested, was asked to relate a conversation she had with Mrs. Corbally. The District Attorney objected and urged Knight to extend argument.

SAYS HER GUILT IS NOW PLAIN

Comparison of Letters of Accused Said to Have Led to Direct Evidence That Must Result in Conviction

THE PROSECUTION in the trial of Mrs. Botkin for her life made a startling discovery late yesterday afternoon which it believes absolutely binds the crime to the accused woman.

The new evidence came at the eleventh hour of the hearing through Theodore Kytko, the handwriting expert. His discovery was hardly more than an accident. While going over documentary evidence in which his own testimony has related, Kytko came all unexpectedly across something which he says took his breath away. The prosecution intimates that it is the strongest direct evidence which they have been able to find against Mrs. Botkin in six years of work. Judge Cook and District Attorney Byington were called to witness, and the chief prosecutor is said to have exclaimed after contemplating the discovery for a moment:

"Mrs. Botkin's guilt is now so plain that any eye can see it!"

Under an ordinary magnifying glass the handwriting expert had spread the two letters which Mrs. Botkin admits are in her own handwriting, the anonymous letter sent to Mrs. Dunning at Dover, which Mrs. Botkin testified the other day is in the writing of Mrs. Dunning's dead father, and the wrapper in which the box of poisoned candy was sent. It was the first time the four documents had ever been brought in such immediate comparison, and Kytko says that the men who looked through the low-power glass saw something in the four documents not relating to the characteristics of the penmanship at all, which convinced them at a glance that the same hand wrote the four.

The discovery was made in Judge Cook's courtroom after court had adjourned for the day. Expert Kytko had asked permission to go over the original documents again, and the clerk, who is in custody of these exhibits, and Judge Cook, whose presence is necessary when they are to be introduced, had agreed to remain. The District Attorney was the only other person present. The main doors were locked against intrusion and Kytko got to work.

The first document handled was the anonymous letter sent to Dover to Mrs. Dunning two weeks before the deadly candy reached her. Mrs. Botkin had testified that the original of this was sent to her by Dunning, his wife having sent it to him, and she had destroyed it after a photograph copy of it had been reproduced in the morning paper of this city. She said that the document in evidence is a copy made from the publication by Mr. Pennington, father of Mrs. Dunning. The prosecution proposes to rebut this statement in court to-day with evidence to the effect that no photographic copy of the letter can be found in the newspaper files. The expert examined the original to testify himself upon his photographic points by which the prosecution essays to prove that the letter was written by Mrs. Botkin.

While he had this original in his hand Kytko asked to be handed the three other original documents, the admitted letter written from the Victoria Hotel to a friend, the anonymous letter to Governor Budd, which Mrs. Botkin admits that she wrote, and the wrapper from the candy box with Mrs. Dunning's address written upon it. Judge Cook consented to allow Kytko to have all four at once. This was the first time this had been allowed. These documents have been scrupulously guarded. When the handwriting experts asked to see one they were shown it for a brief time, and allowed to make photographs of it. The experts who have figured in the case have made nearly all their deductions from their photographs. For the first time Kytko was now handling the four originals all at the same time. He looked them over under his glass, regarded them for a while, then he began to make an examination which startled the three men who were watching. Kytko whispered something to the District Attorney and Byington bent over the glass excitedly.

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JURY THURSDAY IS NOW PLAIN

Defense in Botkin Case Presents Evidence to Refute Some of the More Important Testimony for Prosecution

Comparison of Letters of Accused Said to Have Led to Direct Evidence That Must Result in Conviction

CONNELLA BOTKIN spent the most uncomfortable day yesterday since her trial for murder began. The defense presented evidence to refute some of the important testimony of the prosecution, and it was not a bad showing. The trial in much better spirits than usual and was frequently lively. The atmosphere of the courtroom was warm, and the defendant made free use of a fan, in contrast with the exceptionally large delegation of women in attendance on the trial. Once she almost got into a humor when she called attention to her lawyer and named to him the fact that she had submitted her picture to various money orders in the District Attorney was using in cross-examination.

According to the present outlook, the case will go to the jury Thursday afternoon. The defense will have until this morning, and if the prosecution has nothing new to bring, it will finish up by noon. The court will, in that event, begin at 10 o'clock, presumably by the assistant district attorney, Judge Cook, all of whom are to be in the case, and the district attorney will close Thursday forenoon. The instructions of the court will be given and the case submitted to the jury that afternoon.

Three points of importance were raised by the defense yesterday. First, it was shown that there was no written record in the City of Paris of the handwriting which was found by Mrs. Dunning in the box of poisoned candy. Mrs. The Tichler, formerly Mrs. Harla, testified that she sold the handwriting in the box of poisoned candy, but the fact that there is no such a thing as a handwriting in the box of poisoned candy is a circumstance in the case.

Second—Witnesses from Eureka, Humboldt county, swore that Mrs. Botkin was visiting her sister there June 15th that one of the anonymous letters was mailed from San Francisco to Mrs. Dunning informing her of the relations between her husband and "an English woman" in this city. It is the theory of the prosecution that the defendant wrote both the anonymous letters and that they led to the crime.

Third—Dr. Genige M. Tyrell testified yesterday that on the afternoon of July 1, 1895, he treated the defendant in her room at the Victoria Hotel in a serious attack. She was confined to her bed. It was on this afternoon Mrs. Dunning testified she sold a box of candy at the store of Haus & Son to a woman whom she thought might have been Mrs. Botkin.

LACKMANN TESTIMONY.

John Lackmann, former Sheriff of the city and county, was the first witness the defense called in the morning.

"Was the defendant in the County Jail on April 22, 1902?" was asked. The prosecution made current objection. Then Knight explained that it was his purpose to prove that on April 22, 1890, Judge Cook thought he saw Mrs. Botkin on a street car, that he reported the matter to the witness, and said he was positive in his identification, that it would be shown that the prisoner was not out of the County Jail on that day, that the court would be asked to testify, and the case with which mistakes are made in identification—an important element in the case—would be demonstrated.

But Judge Cook shut off the prospect of making a witness of himself by declaring the testimony of Lackmann and nobody else concerning that street car episode as too remote, collateral and otherwise faulty.

W. H. Roberts of Eureka, Humboldt county, brother-in-law of the defendant, gave testimony that on June 15, 1895, the date and postmark of one of the anonymous letters mailed from San Francisco, Mrs. Botkin was visiting in that city. She had arrived on June 24, and on July 21 she departed for San Francisco. The witness himself having said he the ticket, he being agent for the steamship line, Roberts produced the ticket which the defendant bought from him and which the juror took up. The passenger list of the steamship Humboldt, on which Mrs. Botkin sailed, was also introduced to corroborate the witness' name appearing as occupying a berth.

PROSECUTION NOT ALARMED.

The prosecution was not at all concerned by the presentation of this important rebuttal.

Is there not a small pouch along the gang plank of all departing boats at Eureka, in which letters are dropped, to be turned over to a Yachtman on arrival to San Francisco? queried Byington.

Judge Cook sustained the objection, the question not being proper cross-examination. The District Attorney will go into the matter further in rebuttal.

William Speagle, who was city editor of the Humboldt Standard in 1897, testified that he published the list of names who departed from Eureka on July 20 of that year. The witness looked up his files and stated that steamers sailed from Eureka for San Francisco on June 14th, June 16th and June 17th.

"Is it not a common practice for

Humboldt people to give letters to passengers to have them mailed to San Francisco?" Byington asked, but the court ruled the question out, because it was proper only in rebuttal.

Mrs. Speagle, wife of the prosecuting witness, testified that in June, 1895, she met Mrs. Botkin at a card party in Eureka at the home of Mrs. C. F. Roberts.

NO REBUTAL BY HANDICARFEE.

"Have you a record in the City of Paris of the sale of two handkerchiefs by Mrs. Harla in Mrs. Connelia Botkin in May or June, 1895?"

"No, we never found one. The defendant asked us to look for any such record, but none was ever discovered."

Levi Lee, who was shipping clerk at the City of Paris in 1895, said he had never been able to find a record of any delivery of parcels to Mrs. Botkin, June or July, 1895. If the purchaser took the package from the store, there would be no record in the delivery department. The witness had made the search for an indelible marking on the package of a Chief of Police, and that official had not allowed the hand to drop until all hope was gone.

Thomas J. Ford, superintendent of mills in the San Francisco Postoffice, explained the course a candy package would take in being started for the East. It was not usual, he said, for distributing clerks in notice the name of an address. Their eye simply scanned the destination.

When the distributing room with Chief Lee, Inspector Brink, Theophile Kyka and a stranger when the clerk was asked if any evidence could be discovered as to the mailing of the package. All the clerks were shown the dummy package, but not one of them could recall having seen such a package before. John E. Dunningan was asked particularly, because he was on the "Savitar" rack. But he said he could remember absolutely nothing in connection with the package.

We had no right to fear, when some one called me and said Dunningan had called something. Chief Lee went back and talked with him, and then came to me, after they had conferred several minutes, and told me that Dunningan remembered the package all right.

"I struck me queer, I was bothered about it, because Dunningan had said his memory was a blank, and furthermore, it seemed strange he would remember such a package so long after sending it, inasmuch as so many packages like that go through the mails. Subsequently I spoke to Dunningan about it, I asked him how he could remember the package at the package through his hands."

PAMPHLET WITH THE NAME.

"Was it because of the similarity of the name with your own?" I suggested.

"No, no," he answered.

Further explanation was that he had worked around a telegraph office and became familiar with the name of John P. Dunningan.

"Do you know the reputation of John E. Dunningan for truth, honesty and integrity?" I asked Knight.

The objection was sustained.

In his testimony Dunningan had stated that he recalled having sent East a package with the address of "Mrs. John P. Dunningan, Dover, Del." "Early in August, 1895," his attention being attracted because of the similarity with his own name. His testimony is, therefore, contradicted in a vital particular by the statement of Superintendent Ford.

Miss Carrie Cunningham, a reporter who interviewed Mrs. Corbaley in August, 1895, before Mrs. Botkin was arrested, was asked to relate a conversation she had with Mrs. Corbaley.

The District Attorney objected and stirred Knight to extended argument.

"We claim," he said, "that the fact just as much testimony in this case against Mrs. Corbaley as against Mrs. Botkin; her friendship for John P. Dunningan, her loan to him of \$500, her revelations and intimacy with him, living at the same hotel, and her general conduct. There is just as much reason to ascribe a motive to Mrs. Corbaley as to Mrs. Botkin. We claim even a greater showing of motive against Mrs. Corbaley than we claim to show by this witness' testimony to her Mrs. Corbaley made damaging admissions, much more suspicious than any of the statements the prosecution have attempted to prove that this defendant made before and after her arrest."

Judge Cook held that in no event the testimony of Mrs. Cunningham as to what Mrs. Corbaley said was hearsay and could therefore not be received.

DEFENSE TESTIMONY.

Dr. George M. Tyrell answered that he knew Connelia Botkin and on one occasion had treated her.

What date was that?

Sunday afternoon, July 31, 1895, between the hours of 2 and 3 o'clock.

What was she suffering from?

A nervous headache and some nausea. I gave her a record of that call in the first issue of the Standard.

No, I have not. It is one of the instances where I neglected to make the entry. It was Sunday and I did not remember to do so until evening and therefore forgot to make the entry.

Was she able to go out that Sunday afternoon?

I might have been possible. I don't remember the date or well.

Because I remembered that after I called on Mrs. Botkin I went to dinner at

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All of them was spent in peering through the glass to see if there was

the home of Judge H. S. Route, and I know that dinner was on the 31st of July.

Do you remember the date on which you gave your testimony at the former trial?

I do not.

Do you remember what month it was?

I do not.

Didn't you tell a reporter in Seattle that it was the day before Mrs. Botkin left the Victoria Hotel that you visited her?

I don't remember when I said to the reporter.

It was August 4, 1895, that the defendant left the Victoria Hotel.

HEADS A DISCOVERY.

Then Byington resorted to the transcribed once more. He made the witness admit that Mrs. Botkin asked him if she was too ill to go out, and that he told her he "didn't think so." It was also brought out that he had talked with Mrs. Botkin after her arrest about the testimony he could give in her behalf.

The deposition of William D. Walls, now of Jersey City, but formerly of Dover, Del., in 1895, was then read by the defense. Walls provided at the

any possibility of mistake. It is said that it was agreed that there was not. The glass was removed, and the expert and the attorney thought that there was still room to the naked eye something which should convince any layman that the various exemplars of writing were beyond all doubt the work of one hand.

Judge Cook was appealed to to grant permission to allow the prosecution to bring out the new discovery by putting Kyka on the stand this morning. The Judge replied that as this is new evidence, there was a question whether he had the right to admit it when the case was up only in testimony in rebuttal. He said that he would think upon the matter over night and inform the District Attorney of his decision this morning. He said that he wished to be very careful in everything in order that he might furnish no grounds for a new trial.

Byington and Kyka were of the opinion that it is not absolutely essential that the expert be put on the stand to call attention to the discovery, for the reason that the thing is so plain that the matter can be put in the jurors' with the full strength by simply handing them the four documents and an ordinary glass during the argument and asking their verdict without the point of likeness for themselves.

The discovery was considered by the prosecution of such great importance that it could not be kept a secret, and last night Kyka made the following statement:

"We consider my accidental discovery this afternoon the most important and strongest direct evidence which has been secured to prove that Mrs. Botkin addressed the box of poisoned candy to Mrs. Dunning. I cannot say exactly what the discovery comprises, because we do not wish to fortify the defense, though it will be impossible for them to overcome the effect of this telling blow to their case. I will say that the discovery does not relate in any way to the characteristics of the writing itself. If the writing was merely a series of pen scratches this new point against Mrs. Botkin would hold just the same. It is nothing which requires an expert eye to see. The thing is as conclusive as it is simple, and it is so simple that it would certainly have been discovered long ago if we had been allowed to examine the four exhibits of handwriting collectively. This thing is so easy to see that a child could make the comparison and could not fail to reach the conclusion that the same hand wrote all four of those documents. Nothing could be stronger. It seems to me as plain as if Mrs. Botkin had confessed. We really have Attorney Knight to thank for this great find. It was because he heeded me so fiercely that I took the precaution to ask to see all the papers again. When this thing is sprung on the jury there will be a sensation in the courtroom. I understand that the District Attorney will make it the burden of his whole argument."

When the trial resumed yesterday morning the first thing the attorneys for the prosecution did was to assure themselves of Juror Jacob Goeljen's physical condition. He had no look of a well man but he showed no signs of present ills suffering and the Court was not requested to interrogate him as to his health. It was thought unwise to do so unless absolutely necessary.

"I watched Juror Goeljen closely all day," said Fernal, "and there was at least nothing apparent that would admit of a future question as to his physical competency as a juror at this time. I hardly think now that such a point will be raised."

The police are following out the lines along which the defense has secured evidence to warrant the bribery investigation. Chief of Police Wyllman declined to discuss any of the disclosures yesterday. He intimated that he had been cautioned by Judge Cook not to talk lest it might in some way prejudice the case.

If Mrs. Botkin should be acquitted at this trial she would still have a fight for her party. The prosecution has provided for such a contingency by arranging to have a grand jury for her trial for the murder of Mrs. Dunning. This grand jury could be served upon her before she could leave the courtroom and an effort would be made to have the preliminary examination held before the grand jury would return home.

Inquest on the remains of Mrs. Dunning and Mrs. Dune. Much talk had been circulated by the death of the former, and it was deemed advisable to hold a hearing. The box of candy was presented by one of the jurors from Judge Pennington, and then in adjournment was taken in order to have the grand jury called by Dr. Wall, the State coroner. The important part of the deposition was that which was under "The impression that it was the Bishop who hunted him up a list of names that Judge Pennington had selected for the jury." The defense will attempt to use this to discredit Dr. Bishop, who attended Mrs. Dunning and Mrs. Dunning before they died, and is an important witness for the people. Then the question was raised as to striking out the entry about the inquest, and the Court decided to strike the matter under advisement until this morning.

Judge Cook announced that next the attorneys would have one session of the court in which to make his argument, and that the prosecution would open this afternoon at 2 o'clock.

MRS. BOTKIN

IS ONCE MORE

FOUND GUILTY

LIFE SENTENCE

JURY'S DECREE

Seems Stunned When the Verdict Is Announced—How the Jurors Stood.

WITHOUT a sign of emotion, without a tremor, without the slightest little outcry, California's most remarkable murderess heard her fate pronounced in Judge Cook's courtroom shortly after 11 o'clock last night, when the final moments of intense suspense were at last broken by the voice of the clerk reading the verdict: "We, the jury, find the defendant, Cordelia Botkin, guilty of murder of the first degree, and fix and assess the punishment at imprisonment in the State penitentiary for life."

There sat Mrs. Botkin, the central figure before the judgment bench, her back to a crowd that filled the sweltering place in the doors and along the walls. She was neatly attired in black, even to her jaunty hat, the only touch of color being in a little double-breasted turquoise clasp pin at the back of her collar, a small heart-shaped gold-edged pin upon the rear rim of her hat and a glimpse of purple lining where the skirt of her bombier silk cloak was slightly thrown back over one arm of her chair.

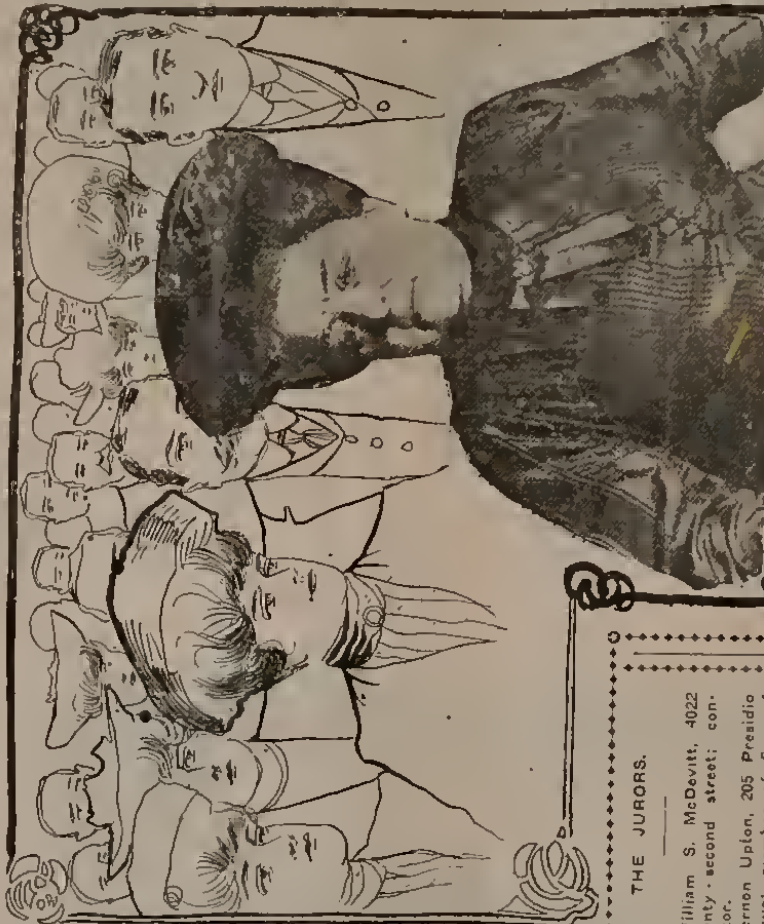
Her head inclined forward, her left elbow upon the table and her hand holding a dainty lace handkerchief gently to her temple, Mrs. Botkin was in one of her favorite graceful poses. The juryman fled in from the rear through the central aisle and around in front of her to her seat at the left. She maintained that position unmoved till the verdict was over. At first she seemed stunned. Then Lawyer Knight stepped round to the back of her chair and waited her recovery. In that moment of unexpressed sympathy her head drooping wearily, she crossed the comforting hand, her right arm, and laid it upon the left, a pale, calm, impassive face and the womanly weakness was not to be seen.

Not a fainting that simply with the turn of the evidence were desired recovery. The reaction after that momentary dizziness had been almost pleasing.

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Mrs. Cordelia Botkin Avoiding the Verdict of the Jury During Closing Hours of Her Second Trial for Murder.

THE JURORS.

- William S. McDewitt, 4022 Twenty-second street; conductor.
- Vernon Upton, 205 Presidio avenue; member of firm of Upton Brothers, printers.
- Jacob Goetjen, 459 Fifth street; grocer.
- Julius Lillenthal, 307 Fulton street; grocer.
- Morris Hyman, 2230 Sacramento street; real estate.
- Henry Peters, 87 South Broderick street; grocer at 789 Hayes street.
- Bernard F. Wambold, 732 Ivy avenue; retired grocer.
- Ferdinand Salz, 1630 Haight street; grain dealer, 214 Pine street.
- James H. Robertson, 503 Capp street; insurance agent.
- Dunstan O'Connor, Hotel St. Dunstan, Sutter street and Van Ness avenue; capitalist.
- A. P. Robbins, 622 Turk street; real estate dealer.
- John P. Carroll, 14 Lake street; former lawyer at the Mint and the City Hall.

to have the transcript read of the testimony of Mrs. Maggie Smith, who took at the Victoria Hotel in 1903, according to the witnesses on July 21st, the day Mrs. Botkin is alleged to have gone out to buy the box of straws at Hays & Son's shop. The witness had testified that she saw the defendant return with some hair-curlers under her arm that afternoon, and heard her say, "now Mrs. W. Barnes, the landlady, made some remarks to her day." Mrs. Smith said lunchmen sent down word that Mrs. Botkin was ill. The witness had then been surprised to see that Mrs. Botkin had been out of the house.

Then came a demand from Hyman for the testimony of Mrs. Smith concerning the call of Dr. Terrell to treat Mrs. Botkin. She was certain that it was not on a Sunday, as he testified, because she was shopping for vegetables when he inquired at the kitchen where the sick woman was, and she never cooked soup vegetables on a Sunday.

The jurors also requested the reading of Mrs. Price's testimony. She had related meeting Mrs. Botkin on the sidewalk at the latter came in with the parcels, and was surprised that she was up and that she had been shopping on Sunday.

Mr. Terrell's testimony concerning his visit to Mrs. Botkin, whereby an ailment in her favor was partially proved so far as the purchase of the wig on July 31st was concerned, was also read.

The foreman also stated that the jurors wished to take with them "bobby pins." Mrs. Dunning found on opening the box of candy. It read, "With love to yourself and baby, Mrs. Botkin." The exemplar with which it has been compared during the trial—an excerpt from a letter the defendant wrote to Mrs. Root and reading, "My love, would that I could be with you"—was also asked for.

The requests having been granted, the jury retired once more to deliberate. At 10 o'clock Judge Cook wanted to adjourn to the morning, but the jurors desired him to wait until 11 o'clock, as there was hope of reaching an agreement. At 11 o'clock the jury returned, and at 11:15 o'clock the verdict was announced. The jury returned from the summing up with the message that the jury had reached a verdict.

Judge Cook said a stern injunction that there should be no demonstration on the part of the audience, as the jurors were to be taken to the witness room. With a look of surprise, the jurors were taken to the witness room. The jurors were taken to the witness room. The jurors were taken to the witness room.

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farmer out the 100 tons who might be involved in lumbering with the jury, but his answer was that inasmuch as the verdict gave no indication of any such efforts being successful, he would leave the matter in the hands of the jury if there was any investigating to do.

"There is absolutely no question but that we can get a reversal of the verdict," said Frank McGowan of counsel for the defense. "In the first place, the foreman told us that Mrs. Botkin was ill. But if that was the case, in addressing the jury, and on that afternoon, we can get a reversal of the verdict. But there are several other incidents of the trial that give us indisputable ground. I cannot tell you at this time what they are, but you can rest assured that we will reverse that verdict."

There is grave question whether the Delaware witnesses would come to San Francisco again in the event of another trial. Their testimony is essential, and inasmuch as they cannot be compelled to leave the confines of the State, the granting of a new trial for Mrs. Botkin might virtually mean that she would never be brought in for the bar again.

GOETJEN IN HOT HUMIL.
Jacob Goetjen, the juror who reported to the police that an attempt had been made to bribe him, was in an ill humor that night and absolutely refused to make any statement about his grave charge. "It's my own business," he affirmed, "and I don't know anything about it any way."

To further questions, Mr. Goetjen replied that he did not know who the woman was with whom he was seen by Detective Barker to enter a house at 399 Grant avenue, and that he had never said a word to his brother Hein about any offering of a bribe.

When his attention was called to Hein's statement that he had done so, Mr. Goetjen retorted that Hein knew nothing about his business, and had been "bawling" in his business. As to whether he knew Julius Funt, reported to the police as a probable agent in any such transactions, the juror took refuge in persistent ignorance, saying that he read the papers and found out what had been published.

Mr. Goetjen's silence was reinforced by the constant exhortation from his brother Jacob "not to make a fool of himself by telling anything," and to "keep his mouth shut."

GENERAL COOLIDGE HAS A VIOLENT ATTACK.
General Charles A. Coolidge was taken suddenly and violently ill yesterday morning, and it is feared he may have an attack of apoplexy. He was removed to his home, and his condition is reported to be serious.

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There's a place within the city limits of San Francisco where coyotes are so plentiful as to be a menace to neighboring chickens. All about this strange state of affairs in Sunday's "Chronicle."

ORGANIZE NEW SCHOOL.

At the opening of the spring session of the educational department of the Young Men's Christian Association in evening university preparatory school will meet the students of the various high schools of the city. The school will be in charge of B. F. Vance, a Yale graduate. At the opening of the session, a large number of the students will be present. An illustrated paper in the auditorium will be a treat.

ST. MARY'S ALUMNI FESTIVAL.

An enthusiastic meeting of the alumni of St. Mary's school and the old members of the school will be held at the school building on Sunday. All the alumni of the school are expected to be present. The entertainment to be held at the Alhambra, April 12th, will be discussed, and the different committees intended to examine all the jumps to the festival.

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AT THE COOK'S CHARGE.

The District Attorney closed with a brief pronouncement, and Judge Cook then began his remarks. He reviewed the case in a few minutes. He pointed out the facts of the case, and the evidence in support of the charge. He then turned to the jury and said: "The evidence is clear. The defendant is guilty. I find her guilty of the charge." The jury then returned a verdict of guilty. The defendant was sentenced to the state prison for a term of years.

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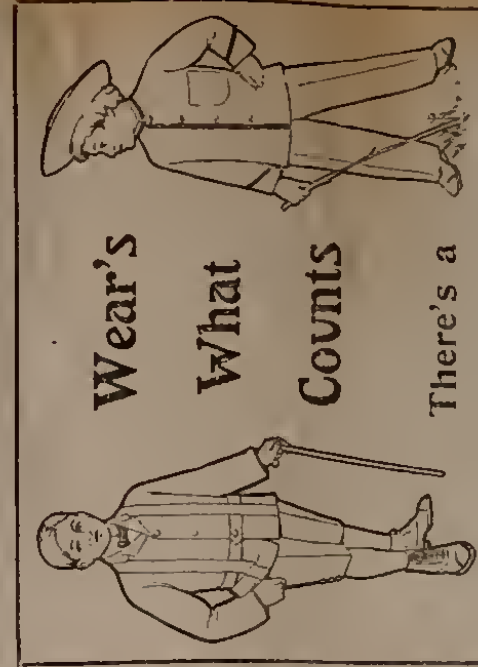
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Wear's

What

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There's a

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A NORFOLK SUIT FOR HIM?

Gracefully tailored Norfolk Suits of Brown Bros. quality: all-wool, in pretty mixed Cheviots and Tweeds: 7 to 15 years; per suit.... **\$5.00**

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MILL TO MAN CLOTHIERS

BROWN BROS.

516-518 MARKET ST. MONTGOMERY

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MRS. BOTKIN TO BE TRIED AGAIN

She Will Be Charged in the Police
Court To-day for the Murder of
Mrs. Dunning's Sister, Mrs. Deane.

SAN FRAN

CONVICTION OF MRS. BOTKIN.

The second trial of Mrs. Cordelia Botkin for the murder of Mrs. John P. Dunning has again resulted in a verdict of guilty, with the penalty fixed by a merciful jury at imprisonment for life. No one who has closely read the testimony at the trial will fail to approve the verdict. The evidence did not leave the shadow of a doubt regarding the woman's guilt, and no criminal brought to the bar of justice ever received a fuller trial by a representative jury.

Of course, there will be an appeal. That is to be expected. The woman's attorneys are relying, as is usual in such cases, upon technical errors and the imprudence of a juror during the trial. It is one of the most regrettable features of American criminal jurisprudence that the commission of technical errors in the course of a trial, which affect neither the guilt nor the innocence of the defendant, often defeat the ends of justice. It is very improbable, however, that the verdict in the Botkin case will be disturbed by the Supreme Court on the ground of any technicality. There is nothing in the action of the imprudent juror on which an appeal can hope to succeed, for the defendant waived her rights in that instance by insisting on the jury deciding her fate, while her attorney made no protest against such procedure further than to say, when asking permission for his client to address the Court, that the demand she was about to make was against his advice.

The crime of Mrs. Botkin was an unusual one, and extraordinary difficulties had to be overcome by the prosecution. With the murderers on one side of the continent and the victim on the other, and the agent of death a box of ordinary candy charged with poison and accompanied by two pocket handkerchiefs, transmitted and received through the regular mails, it required the highest order of professional intelligence and unflagging industry to pick up and join the links in the chain connecting the author and the object of the crime. The late Chief of Police Lees and his trusted associates were, however, equal to the emergency, and established a perfect chain of circumstantial evidence in the case. Every material point associated with the purchase of the poison, the candy and the handkerchiefs, the mailing of the deadly package and the identification of Mrs. Botkin with them and the handwriting of the address on the package and the note of affectionate greeting it contained, was established by unimpeachable witnesses. The motive was not wanting. That was furnished by John P. Dunning, through the removal of whose wife Mrs. Botkin hoped to retain permanently the hold she had obtained on him. Dunning is entitled to great credit for the moral courage he displayed in taking the witness stand to tell in the interest of justice, the plain but humiliating story of his illicit relations with the defendant. It shows that he still possesses some manly qualities which may yet redeem him in the eyes of his fellow-men. His evidence was given calmly and intelligently, carrying in itself the proof of its truthfulness. He was soundly abused for it, of course, in the address to the jury of the counsel for the defense in the summing up of the case. But the truth of his evidence could not be broken down by abuse.

This abuse of the witnesses for the prosecution by counsel for the defendant was one of the worst features of the trial. He indulged in billingsgate that would have put the most vulgar fishwife to shame in his effort to break down the effect of the evidence which these witnesses had given. Several of these witnesses are people of good standing in Delaware society, and they had traveled across the continent at great personal inconvenience and expense in order to give their testimony in the interest of justice. They were entitled to protection against the outrageous abuse to which they were subjected. Possibly it was done to tempt the Court to interfere and then impress the jury with the idea that the Court was prejudiced and the prisoner's counsel was under undue restraint, for sympathetic effect. If so it failed, for the Court was tolerant to a fault. The jurymen showed that they were men of good common sense in not allowing their judgment to be influenced by the unwarranted conduct of counsel. Still there ought to be some limitation placed on the speech of attorneys when reviewing the testimony of reputable witnesses.

The two trials of Mrs. Botkin have cost the county large sums of money. Most of the witnesses had to be brought here from the State of Delaware and other remote parts of the country. But the expense counts as nothing when it is realized that the ends of justice have been subserved.

IN ORDER to perpetuate the testimony of the Delaware witnesses District Attorney Byington will have Cordelia Botkin charged to-day with the murder of Mrs. Joshua Deane. The husband of the victim will swear to the complaint, and it is expected that the preliminary examination will begin on Monday. The transcripts of this hearing can be used in a trial in the Superior Court, and in this manner the District Attorney will fortify himself for renewed prosecution should the Supreme Court set aside the verdict of Thursday night and the witnesses from Dover refuse to make another trip across the continent to give their essential testimony. They have consented to remain for this preliminary examination.

Byington denies any inference that he expects a reversal of the verdict of life imprisonment for Mrs. Botkin, and takes pains to explain that the accusation by Deane is made merely as a precaution. For it will be impossible ever to try the prisoner again for the murder of Mrs. Dunning. The witnesses from the East will never cross the continent a third time to give their testimony. They say they have done their duty by coming twice. Another trip and its attendant discomforts and expenses would be too much to expect from them. Furthermore, they have taken umbrage at the harsh tongue of Attorney Knight, and declare they will never expose themselves to attack by him again.

Without the Dover witnesses the fact of the consummation of the crime could not be established in court. Dr. Wolf, the State chemist of Delaware, alone can give authoritative testimony that the chocolates contained arsenic at the approximate time. So if the Supreme Court should hold that this latest conviction of Mrs. Botkin is invalid there would be small hope that the Dunning case could be revived.

In anticipation of such a turn, the District Attorney will take steps to provide the testimony on which to base prosecution for the murder of Mrs. Deane, the sister of Mrs. Dunning, and the victim as well of the poisoned candy that Mrs. Botkin sent on a transcontinental mission of death. She was on the porch of the Pennington home when the box of sweets was brought from the Post-office on the evening of August 9, 1898, and was at the side of her sister when it was opened. She partook of the candy at the same time, became ill about the same hour that night, and died some hours before Mrs. Dunning passed away.

SAME TESTIMONY IN CASE.

The testimony in prosecution for this crime would be the same as that for the murder of Mrs. Dunning. The motive for killing the latter would, of course, serve as evidence in the multital killing of Mrs. Deane.

Mrs. Botkin was indicted by the Grand Jury on the charge which has resulted in her conviction. The testimony taken before that body cannot be used before the Superior Court, nor can the transcript taken at one trial be read at another. But the stenographic record of a preliminary examination can be adduced in the upper tribunal when the witnesses are not available. It is this provision of the law that Byington will take advantage of, so he will be sure of making out a case again should Mrs. Botkin escape the recent verdict because of disapproval by the Supreme Court.

Counsel for the defense assert that they will be able to upset the judgment of Thursday night. They declare the record of the proceedings is so grievously vulnerable, and, furthermore, they claim to hold a trump card up their sleeve. The fact that Goetjen said he was approached and that he then went to Chief of Police Whitman to talk of the matter is relied on as a very probable ground for reversal. But the juror certainly was not influenced by an offer of a bribe, for he was the most eager of the twelve for a verdict of guilty. While Byington felt some misgiving on Thursday night, he was satisfied yesterday that the Supreme Court would find no flaw in the proceedings.

Judge Cook does not believe that he made any fatal errors in the record. He had many knotty problems to solve, but on the conclusion of the trial he is of the opinion that no serious blunders were made.

A CRITICAL PHASE.

There was one critical situation during the trial when it looked as if the prosecution was defeated. Unquestionably the case hinged on the handwriting evidence, for in all the other testimony there was an element of doubt, of which the jurors took cognizance. But, as Byington declared, "Mrs. Botkin wrote out for an address." The note accompanying the candy was her work, and so was the address on the package. There could be no doubt as to who had started the poisoned chocolates to do their work of murder. But for a while the prosecution was thwarted in its efforts to introduce handwriting evidence, because it had no means of introducing examples of Mrs. Botkin's script for comparison with the alleged writings. Judge Cook ruled that testimony must be confined to some one who had actually seen her perform the act of introducing the examples. This was a difficult situation to get out of.

then two English cases were found supporting the contention of Byington that Horner's testimony should be accepted. With this rather antiquated authority, and realizing that the prosecution would otherwise fail, Judge Cook decided to run the Supreme Court gauntlet and overruled the objection.

It was an open question as to whether or not good ground had been given the defendant for a new trial for conviction. But then Mrs. Botkin went on the stand herself, and in a moment of frankness she admitted the handwriting, the act which many regard as the sealing of her doom.

Mrs. Botkin was confined to her bed yesterday. When she arrived at the County Jail Thursday night she was in a state of utter collapse, and only toward dawn did she sleep a little. Yesterday she suffered the reaction from the distraction she had undergone. There was nothing serious in her condition, however, and no physician was called. She was highly offended at Sheriff Curtis because he had refused to allow her sister, Mr. Robbins, to remain with her Thursday night. Her disappointment and anguish over the result of the trial was still keen yesterday, but she had no room to make. Mrs. Botkin has frequently stated that she was willing to work during her incarceration at the County Jail, wherein she assailed everybody connected with the prosecution, and that it was her plan to have it published when she should regain her freedom.

"When Mrs. Botkin comes up for the formal passing of the life sentence on April 16th, we shall make a motion for a new trial on the usual statutory grounds," said Attorney Frank McGowan yesterday. "I can say nothing as to this new move of the District Attorney to charge her with the murder of Mrs. Deane and to hold the preliminary examination forthwith. I have just heard of it and have not been able to give it a moment's attention. I am completely exhausted after the strenuous five weeks of trial, and so is Mr. Knight. He is going to the country to rest up."

DELIBERATION OF JURY.

Many conflicting reports have gained currency as to the deliberations of the jury. The fact is that on the full formal ballot a verdict of conviction was arrived at, and at no time was there any serious dispute. The penalty of life imprisonment was decided without debate and on the first vote.

There was a long discussion of the evidence before any attempt was made at balloting. One of the first things drawn out was that Jacob Goetjen, the juror who told Chief Whitman a story of attempted bribery, was uncompromising in his belief in Mrs. Botkin's guilt. Four of the jurors—O'Connor, Salts, Hyman and McDowell—were somewhat indiscreet at first because of an extreme conscientiousness. McDowell spoke once for the jurors, who were shaky, and declared that while practically he conceded Mrs. Botkin's guilt, at the same time there were bits of evidence which he would like made more clear before rendering a verdict of conviction. The general expression of the men who watered was that while they scarcely considered their doubt a "reasonable doubt," still, to satisfy themselves, they would like to weigh one more bit that part of the evidence where witnesses told of seeing Mrs. Botkin with boxes wrapped in paper similar to the fatal box of candy.

Juror Ferdinand Salts made the proposition that the jury take a preliminary or "straw ballot" in order that its sentiment might be ascertained. Salts stated that the ballot would not be considered as a binding ballot or one that would actually pass on the issues of the case. It was intended simply as an expression of the jurors' opinions.

To this proposition the doubtful ones among the jury agreed, after first stating that they did not mean their votes to go on record as their decision. Two of the men in doubt said that, if obliged to give a verdict, of course, they would vote for "guilty," although on the straw ballot their action might be different, as they desired to hear debated evidence read to them.

The ballot box was taken out and each man wrote his verdict on a bit of paper and dropped it in. When Foreman Hyman read the poll it stood eight for "guilty" and four for "not guilty." Then came the adjournment, at 6:31 o'clock, for dinner.

RETURN TO COURTROOM.

At 8 o'clock the jurors returned to the juryroom and resumed their discussion of the case. After going over the evidence at length, it was decided to request Judge Cook to read the admitted evidence and submit to him certain examples and the balloting. The jury returned to the courtroom at 9:17 and resumed their work at 10:22 listening to the evidence they desired read.

Upon returning to the juryroom a chess competition was made of the handwriting of the note and of the admitted handwriting of Mrs. Botkin. This, coupled with the testimony they had heard repeated in the matter, elicited the question.

Juror McDowell, of the doubtful ones, stated that all doubt had vanished with him and that he was traveling from had also had all reasonable doubt" dispelled. In an instant it ran about the juryroom that the fate of Mrs. Botkin was sealed. All twelve of the men selected for the

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LAST OF THE FAIR ESTATE

Final Distribution to Come Up in Superior Court To-Morrow.

The application for the final distribution of the estate of the late Charles L. Fair comes up to-morrow morning before Judge Cook in the Superior Court.

The celebrated case which had two continents for its place of action and has been world-famous for the scandals in connection with it is nearing its end. To-morrow may end its connection with the courts.

The heirs to the estate are Mrs. Herman Oelrichs and Mrs. Willie K. Vanderbill, the two sisters of the dead man.

The Nelsons, the relatives of Fair's wife, after having once settled in full, have set up a claim to the estate on the ground that fraud was resorted to in the settlement. Whether they will to-morrow offer a contest remains to be seen.

THE NELSON CLAIM.

The pretensions of the Nelson family have been pretty well pointed out. The ground on which they challenged the settlement was that Charles Fair died first and that in consequence his wife, as the survivor, inherited his principal estate. The Nelsons' two principal witnesses are now in a French penitentiary as a result of their connection with the case, having been convicted of perjury. These two witnesses, two Frenchmen of low degree, were brought over to this country to testify that they saw Mrs. Fair alive after the accident. They committed rank perjury with the nonchalance of sports placing a wager. The testimony that followed their protest beyond a doubt that they were lying, but it was not until they returned to France with their pockets full of money that they were laid by the heels. They were convicted out of the mouths of the Nelsons' own witnesses. In Paris more direct evidence was secured against them and there was no rest for them until a month ago they were landed behind prison walls.

GATHERING THE EVIDENCE.

These two specimens of the Parisian slums were Alfred J. Moranne and Lucean M. Mass. They were discovered by Attorney Harper, the Paris end of the New York law firm of Harper, Beckman & Harper. It was this firm which caused the detention of the bodies of Mr. and Mrs. Fair in Paris, claiming that they represented the heirs. At that time they represented nobody, but subsequently became of counsel for the Nelsons.

Captain John F. Seymour, former chief of detectives of this city, was sent to Paris by the Fair estate to examine the witnesses and to ascertain all the facts connected with the accident. He found but one eye witness to the horrible affair, Mme. Houdiet, and her testimony was that the wife had died first. This was borne out by the testimony of Paris physicians and subsequently by Dr. Gallwey and Dr. Williamson of this city.

A WONDERFUL CHANGE.

Captain Seymour was in New York when the two important witnesses for the Nelsons arrived there. He was at the steamer when they landed, and they were dressed like two rascals.

Two days later when he saw them again, he says, he recognized them with difficulty. The look of New York's haberdashery was gone too good for those important witnesses. They displayed the cut of one of Gotham's most fashionable tailors. Hats, overcoats, canes and everything to match made the two workmen in appearance the swiftest of the swiftest.

Moranne testified that he and his companion arrived half an hour after the accident occurred. The man was dead, he said. The top of his head was crushed in and flattened into the body out of all semblance of humanity. Mass said that the woman was still alive; that he lifted up her head; that she was breathing, and her lips moved. She was not much disfigured, he said; there was a little blood trickling down her left cheek.

THEY WERE PERJURERS.

As a matter of fact, Mrs. Fair's head was fractured in a horrible manner and it was impossible to recognize a single feature of her face. The uniformable had stopped within about twenty-five feet from an elm tree and the sudden shock threw out the occupants. Mrs. Fair was hurled head first against the tree trunk with the velocity of a cannon ball and death must have occurred instantly. Mr. Fair was hurled forward with the same amazing velocity past the tree and landed on his head in soft ground. The chauffeur was hurled still further and sustained only slight injuries.

THE ONLY WITNESS.

The accident occurred on August 1, 1902, on the road from Trouville to Paris at a distance of forty-five miles from the capital. The road is a beautiful, wide path, way between rows of stately elm trees. Just opposite the place of the accident is a hunting lodge, and Mme. Houdiet was just throwing open the wide gates to the lodge when the smashup occurred. She was the only one on the scene.

The two Frenchmen swore that they had been staying at Trouville from August 9 to the morning of August 14; that they were both on the beach at Trouville on the night of the 13th and then determined to leave on their wheels for Passy next morning. They passed the scene of the accident half an hour after the occurrence.

CRIME FASTENED ON THEM.

They told their stories glibly and the doctors who followed them proved that they lied first with regard to the condition of the bodies. A commission was sent from New York to this city to obtain the testimony of Dr. Gallwey and Dr. Williamson, who performed autopsies on the bodies. Attorneys Chandler and Beckman came here to conduct the cross-examination for the Nelsons.

Meantime Moranne and Mass had sailed back to France. They were arrested as soon as they reached Paris and charged with perjury. The wife of Moranne was a woman who went about the stores buying remnants of lace which she sold at a profit to those who would buy from her. A pawnbroker testified that on the night of August 14, when the two men swore they were on the beach at Trouville, Moranne had sold him some lace for \$15. The signature of Moranne was on the pawnbroker's books.

The French authorities lay more stress on the evidence of handwriting than they do on the testimony of witnesses. They claim that handwriting cannot lie, but that witnesses might.

CONDEMNED TO HARD LABOR.

The men were held for trial and a month ago were convicted and each sentenced to three years of hard labor. They are both now engaged in the first hard work either ever knew in his life.

Their testimony, torn into shreds, is the evidence on which the Nelsons base their claim to the money of Charles Fair's estate. Whether they will be represented in court to-morrow remains to be seen. If so, it is claimed that they can but delay the final distribution for a few months only.

The estate of Fair was appraised at \$3,045,000 in round numbers, from which the various bills had to be paid. Attorneys Knight and Hegerly represent the heirs, Lloyd and Wood, Herman Oelrichs, the executor. Each firm is to yet receive \$15,000 out of the residue, but this will not be paid for sixty days.

Some time ago Charles S. Neal, manager of the Fair estate, was awarded \$3,000, Captain Seymour, \$25,000, and Joseph Harvey, more than \$100,000 which Charles Fair had borrowed from him.

M'GLADE PUSH AGAIN AT WORK

Want to Clear Away Remaining Forgery Charges and Secure Parole for the Forger

Peter W. McGlade, whose final conviction for forgery was accomplished in June, 1901, after five trials, will doff prison stripes and appear before Judge Cook on Monday next to face the two forgery charges hanging over his head. It is not expected that the cases will go to trial then, however, as District Attorney Byington called attention to the fact yesterday that the trial of Leon Soeder for murder was set for May 26, and that the trial of McGlade would overlap that, as it would occupy two or three weeks.

An effort is being made to secure McGlade's parole from San Quentin, and the anxiety of those representing him to have the remaining forgery charges disposed of, as they hope, by dismissal, in order that the parole commissioners will have plain sailing. Byington will not hear in this and says he will fight for convictions.

McGlade was employed as bookkeeper in the Street Department when Arch was used Superintendent, and was a frequent visitor of the Tenderloin and devotee of the race track. His expenses during his incarceration and just as his methods of replenishing his purse by forging the names of persons not employed by the department to warrants were brought to light by the grand jury. He was brought back, confessed, and was indicted by a grand jury, which found four forgery counts and one for obtaining money by false pretenses against him.

Then his friends rallied and kept close in touch with the doings in the courtroom. On one trial he was acquitted, but, owing to the practice of the jurors of subtly reading the newspaper reports of the trial, a new trial was granted. In the second trial Deputy Sheriff Leach, recently convicted in the Federal courts of substituting a letter for a better summons of the jurors in such a fashion that even the grand jury blushed. There were two arguments, a hearing jury, due to the efforts of a juror who was the stablekeeper in charge, and he was not until the fifth trial, with Judge Furber at the head of the jury, that McGlade was convicted for good.

In July 13, 1901, he was sentenced to eight years in San Quentin, but an appeal was taken. The verdict and sentence was affirmed and then a rehearing was demanded. This was ruled on adversely, and two days ago the parole of the "Old Hall" pusher went to San Quentin.

EVANESCE OR CAPODOL THE DEADLIEST POISON KNOWN.

Fumes From Three Grains Would Kill Every Person in a Vast Audience.

A thousand three more poisonous than prussic acid, the most poisonous substance known heretofore, is capable of rapidly, with which experiments were recently conducted in London by Cassell's Scott of Little Island. One millionth part of a grain of the drug in the atmosphere of an eight-room cage killed a dog instantly. Its power not diminished, a second, third and fourth dog were killed in the same manner. A half of this most deadly poison would kill a whole room full of people. The vapor from three grains diffused into the air of the Metropolitan Opera House of New York or the Auditorium of Chicago would kill every person in the audience.

By scientists the poison is termed "di methyl arsine cyanide." It is a white powder which melts at 33 degrees and boils at 110 degrees. When exposed to the air it gives off a slight vapor which is death to breathe. It is claimed that the poison was first made many years ago by Cadet, a famous French chemist, by combining arsenic pentoxide with white arsenic. The mixture produced a fuming liquid which, although the Frenchman did not know it, was oxide cyanide. The German chemist Bunsen, combined this with cyanogen, a radical of prussic acid, and made cyanide of cyanide.

1904

CHADWICK TO HAVE A NEW TRIAL

Man Who Secured the Consent of
Norine Schneider to Marrying
Him by Forged Telegram Will
Again Face the Courts on the
Charge of Practicing a Deceit.

REVERSAL OF THE DECISION BY LAWLOR

Prisoner Is Now Serving a Sen-
tence of Ten Years at San
Quentin for Having Forged the
Name of Mrs. Schneider to a
Telegram.

The Supreme Court to-day reversed the judgment and order appealed from Judge Lawlor's court and ordered a new trial in the case of Ernest Moore Chadwick, who was found guilty of sending a forged message by telegraph on February 23, 1901, to Miss Nora Schneider of Vallejo Junction. It was to the effect, "Do what Ernest tells you at once," and was signed "Norine Schneider."

This telegram purported to be from the parent of the girl. The girl was 18 years of age and Chadwick was told by her that she would not marry him unless she got the parent's consent and Chadwick forged the name to a telegram. The girl married him on this telegram.

Chadwick argued that deceit was not established, because the girl at the time of her marriage was over the age of 18 and was legally entitled to marry without the consent of her mother, and that the marriage, when it was once consummated between the parties, was valid, and could not be annulled on the ground of any deceit practiced.

On a review of the instructions made by Judge Lawlor to the jury, the court held that they were so as to bias the jury, making them doubt the credibility of the prisoner as a witness. This, the court held, so materially affected his rights as to render a new trial necessary.

He argued also that deceit must involve some financial loss.

Chadwick was convicted on September 25, 1901, on the charge of forgery for having forged the name of Mrs. Schneider, mother of Norine Schneider, to a telegram directing the girl to marry Chadwick. On October 5 he was sentenced to ten years in San Quentin. This was appealed. He was afterward convicted of perjury alleged to have been committed on that trial, and Chadwick will appear before Judge Cook to-morrow for sentence on the perjury conviction.

CHRONICLE, THURSDA

SISTER OF MRS. BOTKIN INSANE

Miss Cynthia Brown's Queer
Doings Lead to Her Being
Sent to Asylum at Ukiah.

SANTA ROSA, May 4.—Miss Cynthia Brown, a sister of Mrs. Cordella Botkin, has been taken to the asylum at Ukiah for treatment, her reason having become entirely dethroned. It is believed her outlandish is the result of the troubles into which the family has been plunged by the conviction of Mrs. Botkin on a charge of poisoning Mrs. John P. Dunning.

When Mrs. Botkin was first arrested for the crime, Miss Brown created a commotion at Healdsburg by climbing into the cab of a California Northern locomotive and insisting on taking a ride with Engineer James Morris. When the furnace door was opened Miss Brown desired to know if that was the way to the infernal regions. The woman's latest freak was to enter Koberg's jewelry store, in Healdsburg, where, after looking at some diamond rings, she started to depart from the store with a gem valued at \$95, in her handkerchief.

At Schwab Brothers' shoe store she purchased a pair of shoes and failed to pay for them. She then entered the dining-room of the Sotoyome Hotel, where the proprietor, John McDonough, and Councilman M. McDonough of this city, were enjoying their noonday meal. She struck John McDonough in the face with a steak he was attempting to eat, and made her escape before she could be restrained.

Miss Brown accosted Frank Petray on the street, and when he protested he knew nothing about a button to which she alluded, the woman administered a resounding slap on his cheek. A companion with Petray was informed that he would be given similar treatment if he interfered. Owing to these actions it was deemed best to place the woman where she would have expert medical attendance.

MANAGED TO DRY

RUMBLE WROTE MANY LETTERS

Pictures to Investor Glowing
Possibility of California Gold
Mining Opportunities.

During the second day's session of the trial of George W. Rumble, the mining promoter charged with defrauding a multitude of Eastern victims through the instrumentality of the United States mails, an interesting exhibition of the defendant's ability as a letter writer was included in the testimony. Numerous epistles were introduced by the prosecution written by Rumble as secretary of the Sunset Mining Company, and generally addressed to investors or brokers who were disposing of the stock of the alleged fabulously rich corporation.

In nearly every instance these letters explained why the promised monthly cash dividend of 2 per cent was not forthcoming. Rumble's phraseology was by turns picturesque, eloquent and enthralling. He spoke of the fabulous fortunes made by the argonauts, and stated that the company of which he was the manager, owned the richest gold mining properties in California.

"We are offering treasury stock at \$1 75 a share in order to raise funds to further develop our properties. I fully believe that in a short time this stock will be worth \$10 per share and that we will be enabled to pay monthly cash dividends of 5 per cent," was the way Rumble pictured the future in one of his circular letters. He accused State Mineralogist Aubrey of endeavoring to extort \$500 from him, and when this was refused, of publishing him (Rumble) as a fraud. He said he could get no satisfaction from Governor Pardee, as the latter was in collusion with Aubrey.

John Bull, Jr., and Frank T. Terry, brokers from Elmira, N. Y., and Milwaukee, Dr. Harry E. Flyler of Chicago, and P. F. Moore of Lancaster, Pa., were on the stand all day identifying letters and circulars which had been sent to them.

MRS. BOTKIN HELD AGAIN

Must Answer to the Charge of
Having Murdered Mrs.
Henrietta Deane.

Mrs. Cordella Botkin, already with a life sentence for the murder of Mrs. John P. Dunning, was to-day held to answer, by Police Judge Conlan, for the murder of Mrs. Henrietta Deane, who, it is held, died from eating poisoned candy out of the same box that was sent to Mrs. Dunning.

Mrs. Botkin was accompanied by Reece Clark as attorney, his absence yesterday having postponed the court's decision until this morning. She came into court early, attired in deep black, and sat at the side of her counsel at the attorneys' table.

After reviewing the testimony, Judge Conlan said that the evidence was conclusive enough to show that the crime had been committed, and held Mrs. Botkin for trial without bail.

Attorney Clark argued that she should be admitted to bail, and said that he was prepared to furnish bonds to the extent of \$100,000 to \$150,000, but the court refused to entertain the motion. Mrs. Botkin was conveyed to the Branch County Jail after the decision.

AMUSEMENTS

SUIT FOR VALUE OF HORSES.

Daniel M. Hanlon sued the estate of Hippolyte Dutard yesterday for \$13,000, on account of the loss of two mares, Sly and Fire Dance, the former valued at \$10,000. They were kept at the Dutard estate's Brentwood farm, in Contra Costa county, from last June until September, and it is alleged that while there they contracted a disease which necessitated shooting them.

ROYAL MINE SUIT SETTLED

J. H. Brotherton, the Plaintiff,
Who Demanded Accounting
Consents to a Dismissal.

STOCKTON, January 7.—A big mining suit, involving the Royal mine at Hodson, worth nearly \$5,000,000, has been compromised, the plaintiff, J. H. Brotherton, formerly of London, but now of Denver, securing everything he asked for. The facts in the case, as stated in the complaint, are as follows:

J. H. Brotherton, the plaintiff, and John C. Kemp Van Ee, the latter being the present superintendent of the Royal mine, were promoters in London in 1896 to 1898. During that time they acquired considerable mining property, including the Royal mine, located at Hodson, in Calaveras county. John T. Hodson was taken into the proposition, owning a half interest. Brotherton did not think he was getting a square deal, so he brought suit for an accounting and for his share of the profits of the mine. The case was to have come up for trial in the Superior Court of Calaveras county at San Andreas yesterday, but a compromise was effected, and the suit has been dismissed by stipulation.

Owing to a strike of the miners of the Royal the mine has been closed down for some time, and the strikers have been temporarily enjoined from interfering with the mine or the non-union men who have been secured to take the place of the strikers. The taking out of ore has been resumed, however, and forty stamps are now operating.

STRONG CASE MADE AGAINST SOEDER

ANNIE BROWN, WHO YESTERDAY TESTIFIED IN SOEDER TRIAL, SUBSTANTIATING DETAILS OF DAMAGING EVIDENCE FURNISHED BY SOEDER'S CELLMATE, JOHN COOPER.



Annie Brown Clinches Evidence Given by John Cooper, Whose Story Remains Unshaken.

"Cooper," said Judge Cook in solemn, impressive manner to the witness who had told of Soeder's confession to him, "you understand that the defendant in this case is charged with the crime of murder."

"Yes," replied Cooper.

"You also understand that the punishment for murder in the first degree, may be death?"

"Yes, sir, I do."

"The court has no desire or intention of intimating in any way," continued the judge, "whether that your testimony is true or that it is false, but that you may have an opportunity of correcting the same, if any of it be untrue. I inform you under the law of this state any person who by wilful perjury procures the conviction and execution of any innocent person is punishable by death. With a knowledge of the penalty attached in such cases, have you any changes or corrections to make in your testimony?"

Cooper's face did flush, and the witness to whom the plain words of Judge Cook were addressed did hesitate before he replied, for it was an incident of unusual and remarkable dramatic power and even the lawyers and the spectators looked on with breathless interest. Cooper had made statements which, if believed by the jury, must mean the hanging of Soeder. Perhaps the witness, like everybody else, was surprised, and he may have been startled by the language which seemed like a threat. Then Cooper said:

"There is nothing that I want to change."

PROSECUTION'S CASE CLOSED.

District Attorney Byington, so placid and so calm that he seemed the one listener who was not affected by the warning and the answer, took up the Court's question and repeated it.

"Do you understand that you may be hanged if you swear this defendant's life away?"

"I do," was the answer.

"And you have no corrections or changes to make?"

"I have none."

Cooper had stuck to his confession story through the long cross-examination, which inquiry only strengthened what he said on direct examination, and then as if to clinch it all he told the Court that he was willing to have his chances of being hanged based upon what he had told as a witness in the case.

Later in the day Annie Brown of 637 Polson street gave testimony to support of what Cooper had said, so far as her name was connected with the story of the confession, and when Handwriting Expert Theodore Kyika was called to prove that the map which Soeder made for Cooper in the prison cell was genuine the defense admitted that the map was the work of Soeder.

But, with the testimony of police officers and Professor Thomas Price, following the statement made in the police court, the case for the people was closed. The defense will be taken up this morning and General Solomon states that it will be very brief.

Awaits the Sentence

Ralph E. Reinhardt pleaded guilty to three charges of forgery in Judge Cook's court today. He forged the name of Charles Wesley Reed to checks for \$10 each, on Charles Newman, proprietor of the Russ house, Bob Kern, the Market st. saloonkeeper, and the Columbia Banking company.

The man will be sentenced on Monday.

NUMBER ON CHECK PUZZLES POLICE

George M. Tolson, alias John C. McBride, was arrested yesterday by Detectives Ryan and Taylor on the charge of forgery.

The police are mystified as to the manner in which Tolson secured the blank check which he altered and filled in for \$12 over the forged signature of W. H. Alvaier and cashed at the Columbia dance hall, Pacific and Kearny streets. The check was written on a Nevada National Bank blank printed for the use of Charles Newman & Co., proprietors of the Russ House.

Tolson claims that the check blank was given to him by Newman's night clerk. Newman says that was impossible, for his checkbook stubs show that he did not have two checks numbered 260.

HOLDS DR. BRENNAN FOR FELONY EMBEZZLEMENT.

Former Protege of Rev. P. J. Grey Will Have to Face a Jury.

Dr. Thomas F. Brennan was held by Police Judge Fritz yesterday in \$500 bonds to answer the charge of felony embezzlement, the complainant being Rev. P. J. Grey, who was for forty years pastor of St. Patrick's Church. A writ of habeas corpus was immediately petitioned for by Attorney Cannon before Judge Cook, and was made returnable to-morrow.

It is alleged that ten years ago Father Grey found Brennan ill and penniless, and, taking him to his own home, cared for him and stood in the position of patron until about a year ago, when it was learned by the aged priest's friends that Brennan had obtained control of nearly \$100,000, which Father Grey had on deposit in the Libby's Bank. It was alleged that the priest had signed an order for Brennan to take the money without knowing the nature of the paper, his eyesight being so defective that he always depended on Brennan to read documents presented to him for signature to tell him of the contents.

It is claimed by the defense that the money was due Brennan for professional services and attorney fees, and that the transfer was made before a Paso Robles notary, who read the document to the priest before he signed it.

Ex. May 19 - 1904

News
May 27 - 1904

Examiner
June 1 - 1904

Chronicle
June 2 - 1904

CELLMATE OF SOEDER TELLS IN FULL ALLEGED CONFESSION BY DEFENDANT

Accused Man De- nounces the Witness.

Sensations were frequent yesterday in the trial of Leon Soeder for murder. He is accused of cutting Joseph Blaise's throat on the night of January 10. Blaise was his brother-in-law and the prosecution claims that the dead man was lured from an obscure town in Alsace-Lorraine to San Francisco and then foully murdered by Soeder at the foot of a retaining wall on Taylor street, between Green and Union streets, for the purpose of securing accident and life insurance money.

The main witness of the day was John Cooper, a cellmate of Soeder's at the County Jail. He has other names and among them is John Henry Cooper. Sometimes he follows the business of bidmaker. He was arrested for the crime of forgery and his inability to imitate a signature resulted in his imprisonment.

He was the most important witness of the trial. Shaking hand and foot, he told how Soeder had confessed to him in their joint cell that he had hit Blaise over the head with a broken shovel, that still retained the riveted end of the blade. Then he stood over him, with his left knee pressed to Blaise's back and slit his brother-in-law's throat with a knife held in his right hand. This was the wound that caused Blaise's death.

DESCRIBES BLAISE'S MURDER.

Cooper told in detail how Soeder had met his brother-in-law on the night of January 10 and deliberately murdered him. He testified that the defendant said that a man without money was no good in this country and that "he would as soon murder his brother-in-law as a stranger."

Twice during Cooper's testimony the defendant arose to protest and his attitude bore out strongly the public impression that he is a dangerous man. He first broke forth during the testimony concerning the changing of a man named Day from the cell in the County Jail occupied by Soeder, Day and Cooper. Cooper claimed that Soeder had arranged the transfer with the captain of the watch.

"You are a dirty liar," shouted Soeder, "you asked for that change yourself."

Bailiff Martin Welch nearly jumped over the railing in his effort to quiet the prisoner. Subsequently Soeder arose again when Cooper was testifying regarding the manner of killing Blaise and extended a clenched fist toward the witness.

"You are a liar and a thief," shouted the defendant. "You stole your mother's money."

Thereafter Deputy Sheriff Mcynert sat beside the defendant and touched him on the arm whenever a show of temper was coming. Soeder was quiet during the remainder of Cooper's testimony.

Once during the testimony of the witness Soeder turned over to his counsel and said, loudly enough to be heard:

"Why, the hell kind —"

INTRODUCE DIAGRAM.

One of the strongest pieces of evidence brought forth by the prosecution was a diagram drawn on the margin of a daily newspaper and apparently the work of Soeder. It is alleged this was made in his cell at the County Jail after his preliminary hearing in Police Judge Callahan's court. It might easily have been a crude reproduction of the map made by the topographical expert of the Police Department.

Cooper claimed that Soeder drew this diagram to acquaint him thoroughly with the locality in which Blaise was murdered, and that it was subsequent to the detailed confession of the manner in which Soeder had murdered his brother-in-law. He said the purpose of the map was to indicate to the witness, who thought then he would be allowed his liberty in February of this year on a writ of habeas corpus, where he might find persons willing to testify regarding an alibi for Soeder. On cross-examination he said he was still a resident of the County Jail, but that another writ of habeas corpus for his release was to be argued to-day in Judge Cook's court, where Soeder is being tried for his life. The Judge withdrew his bench at this statement.

CALLS WITNESS A LIAR.

The witness said that about February 1 of this year he met Soeder in the County Jail. They met first in the corridors while taking exercise and subsequently arranged the joint occupation of one cell through the captain of the watch at the Broadway County Jail. A man named Day was an occupant of the cell, and Soeder influenced the authorities so that Day could be removed to another cell. At this point Soeder arose and denounced the witness as a liar.

The witness stated that in this cell, during a conversation extending over two weeks, Soeder confessed to him that he had murdered Blaise. He claimed that the defendant told him of meeting two women on Union street the night of the murder. It was after Blaise and Soeder had left the Spanish restaurant on Broadway and were walking on Union street. Blaise could not talk English, according to Soeder's alleged confession, and was left behind with the agreement that both were to meet at the top of Russian Hill. The witness was positive of the meeting place, and said that it was on the corner of Vallejo and Union streets. Both of these highways run parallel.

LOOKING FOR FRIENDS.

Also Cooper testified that Soeder had made the first advances of his alleged confession by asking him to be his friend.



CELLMATE OF LEON SOEDER AT THE COUNTY JAIL, WHO YESTERDAY TESTIFIED IN COURT THAT THE MAN CHARGED WITH THE MURDER OF JOSEPH BLAISE CONFESSED HIS GUILT TO HIM.

at what points the shovelhandle or bloody towel were disposed of. On most everything else Soeder unboasted himself, according to the witness.

CLAIMS IT IS PERJURY.

General Salomon, chief counsel for the defense, stated at the conclusion of Cooper's testimony that he was ready to introduce evidence to the effect that it was perjured testimony. He claimed that he could produce witnesses from among the prisoners in the County Jail who would testify that Cooper's testimony was the result of a conspiracy of the prisoners confined therein, and that Cooper was put forth to wreak their vengeance because his client had refused to be robbed by them.

District Attorney Byington and his assistant, R. Porter Ashe, ridiculed such a statement and express the belief that Cooper's narrative of Soeder's confession is absolutely true. Equally certain of its truth are Captain Martin of the police force and Detective Tom Gibson, who have worked up all the evidence so far produced against Soeder.

To-day promises to be a busy one in the trial. Handwriting Expert Kytko will take the stand to tell that Soeder drew the chart of the place where Blaise was killed. Possibly the defense will admit this testimony, as Soeder acknowledges that he drew it in explanation to Cooper of the utter impossibility of his having committed the crime with which he is charged.

WITNESSES PROMISED.

Beyond this the prosecution purposes to introduce a German woman who will testify that she was asked by Soeder to visit the two girls who ran the Mexican restaurant on Broadway, where Blaise took dinner in company with Soeder on the night of the murder. The request was made after Soeder's preliminary hearing and when he was in the County Jail. It is claimed that the request was made in order to prove an alibi for the defendant. Other witnesses are promised, who have never appeared heretofore.

Among the morning witnesses were Captain of Detectives John Martin, Detective Tom Gibson, Theodore Kytko and Joseph Collins. Theresa Kling, the dance hall habiline, who testified at the preliminary hearing, is at present in Reno, Nev., and by stipulation her testimony was read as given at the preliminary hearing. All testified to the same facts as were disclosed during the commitment proceedings. The case will be continued this morning, with Cooper on the stand under cross-examination.

The defense asked for an adjournment at 4 o'clock yesterday afternoon because it wished to lay a foundation for impeaching the testimony of Cooper. General Salomon said he was not in the possession of the names of other County Jail inmates who he expects will give evidence of a conspiracy against Soeder.

CHRONICLE, SATURDAY

JURY FINDS RUMBLE GUILTY

On His Sixtieth Birthday, the
Mining Promoter Is Convicted
of Fraudulent Use of Mails

Just sixty years after he first won the light of day George W. Rumble, mining promoter, stood before the bar in the United States District Court, a convicted felon. A jury in that court, after deliberating just one hour, brought in the verdict which may mean that this man, who has lived all but a decade of the allotted three score and ten without ever before having been arrested on any charge, may spend eighteen months in the penitentiary. Judge De Haven set Wednesday morning as the time for passing sentence. As soon as this formally was gone through with, Assistant United States Attorney Ben McKinley, who conducted the prosecution, moved that Rumble be remanded to the custody of the United States Marshal. Judge De Haven made this order after raising the amount of the bail required from \$3000 to \$10,000. After a short time Rumble succeeded in getting a surety company to go his bonds, and he was allowed his freedom. It is not yet known whether an appeal will be taken in the case, but it is believed that Rumble is determined to fight the case to the bitter end.

The story of Rumble's operations is the most interesting that ever came to the notice of the Federal officials. By means of glowing circulars he lured hundreds of Eastern victims to purchase stock in his mining enterprises and in this manner cleaned up \$265,000 which he deposited in different banks under his own or his wife's name.

For a long time the detectives in the postal department made every effort to catch him in some act that would warrant his arrest, but they assert that Rumble was the shrewdest man with whom they ever had to deal on this Coast.

It remained for Postal Inspector James O'Connell, however, to land his man. He slowly gathered together the evidence which resulted in the indictment of Rumble by the Federal grand jury. On October 20th he was arrested. During the trial, which lasted ten days, Rumble's attorneys made a hard fight. The prosecution showed that Rumble represented the Elko Mining to be worth \$400,000, when he knew it was worth but \$6000, that he promised to pay dividends of 2 per cent a month on stock which was sold for \$1 and \$2 a share, that he paid these dividends out of the treasury stock and that he sold 150,000 shares.

(Authorization.)

RESOLUTION NO. —.

RESOLVED, THAT AN EXPENDITURE of the sum of six hundred and twenty-five dollars (\$25.00) be and the same is authorized to be made out of the appropriation for Urgent necessities for the fiscal year 1904-1905, in payment to Theodore Kytko for professional services rendered to the use of the People of the State of California vs. Cordelia Botkin, as per agreement and bill rendered.

And the Clerk is hereby directed to advertise this Resolution in The Evening Post Newspaper, as required by law.

In Board of Supervisors, San Francisco, June 23, 1904.

Passed for printing by the following vote:

Ayes—Supervisors Alpers, Cent. Borton, Combs, Connor, D'Ancona, Eggers, Hocks, Lunstedt, McClellan, Rea, Sanderson, Abert—Supervisors Booth, Brandenstein, Braunbart, Finn, Fayot, Rock, 1021 11

CHAR. W. FAY, Clerk.

Post 23
June 1904

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CALLS WITNESS A LIAR.

The witness said that about February 4 of this year he met Soeder in the County Jail. They met first in the corridors while taking exercise and subsequently arranged the joint occupation of one cell through the captain of the watch at the Broadway County Jail. A man named Day was an occupant of the cell, and Soeder influenced the authorities so that Day could be removed to another cell. At this point Soeder arose and denounced the witness as a liar.

The witness stated that in this cell, during a conversation extending over two weeks, Soeder confessed to him that he had murdered Blaise. He claimed that the defendant told him of meeting two women on Union street the night of the murder. It was after Blaise and Soeder had left the Spanish restaurant on Broadway and were not talk English, according to Soeder's alleged confession, and was left behind with the agreement that both were to meet at the top of Russian Hill. The witness was positive of the meeting place, and said that it was on the corner of Vallejo and Union streets. Both of these highways run parallel.

LOOKING FOR FRIENDS.

Also Cooper testified that Soeder had made the first advances of his alleged confession by asking him if he had any good friends on the outside who could help him prove an alibi for the murder of Blaise. Cooper said he had good friends, after being promised half of \$1000 for his services which, he said, Soeder told him was forthcoming from Germany. On cross-examination from influential friends turned out to be a man named Scott, whose present whereabouts is unknown and an unfortunate woman employed in a dance hall on the Barbary Coast, who was in love with Cooper and visited him frequently in the County Jail.

"Why did you make this betrayal of a secret you say was intrusted to you?" asked General Salomon, chief counsel for the defense.

"Because his statement was made so cold-bloodedly to me," said the witness. "He spoke of the killing as though he had killed a dog or a hog."

Further testifying, the witness claimed that Soeder told him the murder was done at 3 o'clock at night and that he "monkeyed" around until 4 o'clock in the morning and then went to the Cliff House. He said that Soeder told him that he had no bloodstain on his hand and on his shoes. There he wiped them with a towel and subsequently shovelhandle used to knock Blaise down, according to the alleged confession, was thrown in an alley. The witness said that Soeder did not indicate



CELLMATE OF LEON SOEDER AT THE COURT. TESTIFIED IN COURT THAT THE MAN CHAINED JOSEPH BLAISE CONFESSED HIS GUILT TO

at what points the shovelhandle or bloody towel were disposed of. On most everything else Soeder unboomed himself, according to the witness.

CLAIMS IT IS PERJURY.

General Salomon, chief counsel for the defense, stated at the conclusion of Cooper's testimony that he was ready to introduce evidence in the effect that it was perjured testimony. He claimed that he could produce witnesses from among the prisoners in the County Jail who would testify that Cooper's testimony was the result of a conspiracy of the prisoners confined therein, and that Cooper was put forth in weak their vengeance because his client had refused to be robbed by them.

District Attorney Byington and his assistant, R. Porter Ashe, made such a statement and express the belief that Cooper's narrative of Soeder's confession is absolutely true. Equally certain of its truth are Captain Martin of the police force and Detective Tom Gibson, who have worked up all the evidence so far produced against Soeder.

To-day promises to be a busy one in the trial. Handwriting Expert Kytko will take the stand to tell that Soeder drew the chart of the place where Blaise was killed. Possibly the defense will admit this testimony, as Soeder acknowledges that he drew it in explanation to Cooper of the utter impossibility of his having committed the crime with which he is charged.

WITNESSES PROMISED.

Beyond this the prosecution purposes to introduce a German woman who will testify that she was asked by Soeder to visit the two girls who ran the Mexican restaurant on Broadway, where Blaise took dinner in company with Soeder on the night of the murder. The request was made after Soeder's preliminary hearing and when he was in the County Jail. It is claimed that the request was made in order to prove an alibi for the defendant. Other witnesses are promised, who have never appeared heretofore.

Among the morning witnesses were Captain of Detectives John Martin, Detective Tom Gibson, Theodore Kytko and Joseph Collins. Theresa King, the dance hall habitue, who testified at the preliminary hearing, is at present in Reno, Nev., and by stipulation her testimony was read as given at the preliminary hearing. All testified to the same facts as were discussed during the commitment proceedings. The case will be continued this morning, with Cooper on the stand under cross-examination.

The defense asked for an adjournment at 4 o'clock yesterday afternoon because it wished to lay a foundation for impeaching the testimony of Cooper. General Salomon said he was not in the possession of the names of other County Jail inmates who he expects will give evidence of a conspiracy against Soeder.

(Authorization.)

RESOLUTION NO. —

RESOLVED, THAT AN EXPENDITURE of the sum of six hundred and twenty-five dollars (\$625.00) be and the same is authorized to be made out of the appropriation for Urgent Needs for the fiscal year 1903-1904, to pay to Theodore Kytko for professional services rendered in the case of the People of the State of California vs. Cordelia Bolton, as per agreement and bill rendered.

And the Clerk is hereby directed to advertise this Resolution in The Evening Post Newspaper, as required by law.

In Board of Supervisors, San Francisco, June 20, 1904.

Passed for printing by the following vote:

Ayes—Supervisors Alpers, Bent, Horton, Comte, Connor, D'Arcena, Eggers, Hockley, Lunstedt, McClellan, Res. Sanderson.
Absent—Supervisors Booth, Brandon, Atkin, Braubart, Finn, Fayol, Rock.
JUL 15 CHAS. W. FAY, Clerk.

Post 23 June 1904

Examiner
June 9 - 1904

SLANT SYSTEM FOR SCHOOLS

Vertical Writing Displaced—
Two More Teachers Elected
by the Board of Education.

The Board of Education, after careful and exhaustive investigation of the different systems of penmanship submitted for its consideration, has concluded that a change from what is known as the vertical system of handwriting "is imperative. The vertical system of writing being awkward, unnatural and inefficient."

It was therefore ordered yesterday by the Board that the system of writing known as the "curlicue semi-vertical frehand writing, and published by the American Book Company, be adopted for a term of four years, commencing June 1, 1904, as the official series of penmanship to be pursued in the department.

The award is made conditional on the making of such changes in the a part of the copy books as the Board may require before July 25, 1904, and on the exchange of the new books for old ones of the vertical system held in stock by dealers in San Francisco. It is stipulated that the contract shall terminate on the adoption and distribution of a system of penmanship by the State text book committee. The American Book Company is required to enter into a written contract and execute a bond for \$500.

The Board of Works was asked to enter into a contract with Frank McSherry to make alterations and additions to the one-story building in the rear yard of the Lowell High School for \$2740; also to enter into a contract with the same person for additional alterations to the Dudley Street Primary school building for \$12,492.

Elmer Rowell was elected a teacher in the department and assigned to the Lowell High School in duty.

Miss Margaret E. Hunsicker of the Hotel School was given a vacation until August 16th.

Miss Ellen Bertil is now appointed special teacher in history and Miss Grace Morel Kropke, resigned.

Solutions for teachers for June were approved and ordered published.

RUMBLE GETS FULL PENALTY

Sentenced by Judge De Haven
to Pay a Fine and to Spend
Eighteen Months in Jail.

George W. Rumble, mining promoter and get-rich-quick schemer, who was convicted by a jury in the United States District Court of using the mails to further a fraudulent scheme, was sentenced by Judge De Haven to spend a term of eighteen months in the penitentiary at San Quentin and to pay a fine of \$500.

Before passing this sentence Judge De Haven listened to lengthy arguments by General Hart and Judge Patton in a motion for a new trial. The lawyers held that the motion should be granted on the grounds that the verdict of the jury was not in accordance with the charge as given by the Court, that the evidence did not prove that any such offense as the one charged in the indictment had been committed, and that the Court erred in overruling certain objections. Judge De Haven denied the motion, and also denied a motion for an arrest of judgment. A stay of execution of two days was granted, and supercedens bonds were fixed at \$10,000. An order was then made remanding the prisoner to the custody of the United States Marshal.

Rumble almost on top of this conviction was word from Washington that the Postmaster-General had issued a fraud order relative to all the mail of Rumble, the Sunset Mining Company and any of its officers or agents. This means that all of their mail will be held up whenever a Postmaster happens to discover it.

SEYMOUR REFUSED TO PART WITH HIS JOB

No matter how the Fair boys dispose of the property they cannot dispose of John Seymour. He is employed to manage the minor affairs of the property and he goes right on in his employment without regard to changes of ownership.

John Seymour was captain of detectives, as any child can tell. He did not get along with Chief Whitman. Suddenly he was discharged by resigning his official position and going to the employ of the Fair boys. He was well paid for his services, but he had a lot of general supervision, a thing under Charles D. Neal.

Seymour was the friend of Charles L. Fair, and it was through him that he secured his employment. After Charles Fair died suddenly it became known that Mrs. Delrich and Mrs. Vanderbilt, the other heirs, knew not Seymour. They started into cut expenses. Every salary was stopped mercilessly. They ordered that Seymour's pay should be \$1100 a month to \$100.

"Oh, no," said Seymour, chuckling gaily. "I will accept \$100 a month."

"Then you'll be discharged," said the retrenching heirs.

"Oh, no," replied Seymour, and he chuckled again.

Then Captain Seymour produced a contract under which he was to receive \$100 a month for ten years. It was duly executed and on it he stood pat. Mrs. Delrich and Mrs. Vanderbilt proposed to give him \$100. For four long months he went on doing his work and at the end of each month he was offered \$100 right on to his job, asking nothing.

Then Mrs. Delrich and Mrs. Vanderbilt sent him a letter. He went back carrying the contract with him. The lawyers looked the matter over. They couldn't see a chance to break the contract. Captain Seymour had resigned his position of detective to take the place. He had discharged his duties faithfully. The lawyers said Mrs. Delrich and Mrs. Vanderbilt that they couldn't get rid of the Captain.

So Mrs. Delrich and Mrs. Vanderbilt, multimillionaires, made a virtue of necessity. They ordered that Captain Seymour be reinstated in his position and that his salary of \$100 a month be paid to him regularly. And now the Captain goes right on in his place as manager who owns the property. He contract has something like eight years to run.

FIGEL IS WANTED

Once Accused Murderer Now in
Trouble With Banks

Theodore Figel, once in custody on a charge of murder, is again wanted by the police. He is charged by Wells Fargo Bank with having taken out about \$1,000 on a fictitious check. The Bank of California and other banks are said to have suffered in the same way.

Figel is employed by his father, Joseph Figel, a tailor in the Flood building.

PASSED A CHECK.

This morning Judge Fritz issued a warrant for the arrest of Figel on a charge of passing a fictitious check. John Miles, assistant cashier of Wells Fargo Bank, is the complaining witness. A check signed by the name Sam Klein for \$965.90 was cashed by Miles. A certificate of deposit from the Western National Bank for several thousand dollars had previously been placed in the Wells Fargo Bank by Figel. Figel stated that Klein was a friend of his. However, it is the opinion of the bank officials and the police that Klein is a fictitious personage. The Fred Bacon, in whose favor the check is made out, is also said to have no existence.

It was on June 30, 1897, that Figel, who was bookkeeper for the wholesale dry goods house of Hoffman, Rothchild & Co., Bush and

Battery etc., was arrested and charged with murder. One of the partners of the firm, Hoffman, had been found in his office with a bullet hole through his head. Suspicion attached to Figel and he was arrested in San Rafael later on.

The late Chief of Police Lees tried to make out that Figel and Hoffman had often quarreled and that Figel had shot and killed Hoffman. No conclusion could ever be found, however, and it is not known to this day whether Hoffman was murdered or committed suicide. Joseph Figel, father of Theodore, at that time was a very wealthy man, but spent all his money in defense of his son.

There had been some trouble among the partners of the firm for which Figel worked and some months before Hoffman's death the firm was burned out in a building that was occupied just opposite to the firm's present location. The big sum of \$140,000 was paid by the insurance companies. All sorts of stories were later circulated about the fire.

At the time Figel was arrested for murder he owned a number of race horses. It is claimed that he played the races for heavy amounts. Recently he is said to have returned to his gambling habits.

HESSE PLEADS GUILTY TO PASSING BAD CHECK.

Edward W. Hesse, formerly well known as an ornate singer, pleaded guilty before Judge Dunne on Tuesday to two charges of passing fictitious checks and will be sentenced Saturday. It is alleged that the charges under which he was brought to trial are only two of many similar offenses. He at first pleaded not guilty and a jury was called, but yesterday he changed his plea.

INTER-CLUB PISTOL SHOOT

Oakland and San Francisco Shots
Will Meet This
Evening.

To-night the Oakland Revolver Club range, the class B pistol teams of the Oakland Revolver Club and the Pacific Indoor Shooting Club of this city will shoot the first match under the new conditions. Both teams are in good form, and their makeup is five men each, as follows:

Oakland Revolver Club—W. B. Goodburn, A. B. Saurman, J. T. McDonald, Dr. P. A. Marriott, fifth not selected. Pacific Indoor Shooting Club—H. E. Will, H. G. Grube, Theodore Rytka, J. Bolter, Chris Meyer.

The conditions are thirty shots per man on Creedmore reduced targets, with the center counting five. Weapons chosen are any pistol or revolver. Possibility of score per team is 150 points.

As an additional incentive to good shooting a special trophy has been offered for the highest score of the match.

CHRONICLE, FRIDAY

DOCIA NOLAN TO GO TO PRISON

Supreme Court Denies Appeal
From Judgment Giving Her
Eight Years in San Quentin.



Docia Nolan.

DOCIA NOLAN will now serve eight years in San Quentin Prison for instigating the crime of March 4, 1905, in which Mike Nolan and two other "dope heads," John Davis and Bernard Whitelaw, forcibly entered the residence at 643 Haight street about noon time, brutally beat and kidnapped Mrs. T. V. Matthews into insensibility, and then secured about \$3000 and some diamonds belonging to her daughter, Mrs. Tuttle.

Final judgment was rendered yesterday by the Supreme Court of the State of California refusing to reverse the lower court, which declined to grant an application for a new trial.

What practically convicted Docia Nolan and completed the burden of damaging circumstantial evidence piled upon her during the trial before Judge Cook was her own statement to the three men before the date of the robbery: "I know an old woman that has two or three thousand dollars and some diamonds. It would be very easy to get, and the best time to get it would be when the children are at school."

This admission was made in the presence of Ruby Grills, at that time an intimate of Whitelaw's, and she took the stand and told all she knew of the plot and of Docia Nolan's urging of the men to undertake the work.

Prior to that Docia Nolan had got the key of the land and learned the hiding-place of the jewels and money by pumping a little girl playmate of Mrs. Matthews' granddaughter. After the plan was outlined, Whitelaw called at the house and palmed himself off as a real estate dealer come to talk of lodging-house property which it had been learned Mrs. Tuttle wished to buy as an investment. That call made the subsequent robbery possible without any confusion as to location of rooms and exits. Then came the actual attack and beating of the grandmother who was the only one in the house at the hour chosen for the crime.

Mike Nolan, who pleaded guilty, is at San Quentin serving twenty-five years; Davis, who also pleaded guilty, is there doing twenty years; and Whitelaw, the brutal ruffian who so cruelly beat helpless Mrs. Matthews, is in for life.

CASHIER MAKES SECOND CHARGE OF FORGERY.

Says Carpenter Used More Names Than One to Obtain Money.

A second warrant charging Ambrose Carpenter with forgery was issued by Police Judge Conlan yesterday, and like the first the complainant was Joseph Friedlander of the Anglo-Californian bank. The complaint alleges that on July 17th Carpenter forged the name of Augusta M. Rogers to a check for \$175 which he cashed at the complainant's bank.

Carpenter was arrested in Agua Caliente, Sonoma county, and will be arraigned to-day. He was formerly employed by the Rogers Engineering Company, but was discharged two months ago. Since then, it is alleged, he has forged the name of Rogers to many checks which he has successfully cashed. Two days ago he presented one for \$175, purporting to be signed by Rogers, at the Anglo-Californian bank for payment, but took alarm while the teller was identifying the signature, and ran out.

— Mitchell, president of the

MRS. CRAVEN TO SEEK DAMAGES

Will Sue Street Car Company
as the Result of an Accident
That Befell Her in St. Louis.

ST. LOUIS (Mo.), July 25.—Mrs. Nettie Craven of California is at the Good Samaritan Hospital on Dayton street and Jefferson avenue suffering from a nervous complaint, the result of a street-car accident. She received serious injuries to her right hip in a collision last March, and at that time engaged Frank E. Richey as her attorney to bring a suit for damages. The suit has not yet been filed owing to her nervous condition and her inability to bear the mental strain.

Since the accident she has been in retirement in modest quarters in this city, most of her time being spent in bed. Last week, owing to a change for the worse, she was taken to the hospital and Dr. David M. Gibson was called into consultation. Attorney Richey says that the filing of her suit for damages depends wholly upon the time of her convalescence.

SOEDER IS SENTENCED TO DEATH

Murderer of Joseph Blaise, His
Brother-in-Law, Stands Up in
Court and in Bitter Tones Pro-
tests Against the Injustice of
the Verdict.

SAYS HE COULD PROVE
HIS INNOCENCE

Swears That the Testimony of
John Cooper, Who Said He Had
Confessed the Murder, Was
False and Had Been Inspired
by Malice.

Leon Soeder, convicted of the murder of his brother-in-law, Joseph Blaise, for insurance money which the latter carried upon his life, was sentenced to be hanged by Judge Cook this morning. Before sentence was imposed argument on motion for a new trial was heard by the court and every point raised in behalf of the convicted man was overruled.

IN BITTER TONES.

When asked if he had anything to say why sentence of death should not be imposed Soeder arose to his feet and in bitter tones protested against the injustice of the verdict.

He said that he had been convicted on perjured testimony and asked that he be given time to summon three witnesses, who would testify that the evidence given by John Cooper, who swore that Soeder had told him that he had killed Blaise, was false and was inspired by malice.

CAME TOO LATE.

This was denied. Judge Cook told the accused that he had had plenty of time to secure these witnesses and that his appeal came too late.

Sentence was then pronounced as follows:

SENTENCE PRONOUNCED.

"Leon Soeder, you have been convicted of the crime of murder. It is the judgment and sentence of this court that you be delivered by the sheriff of the city and county of San Francisco to the warden of the State prison at San Quentin, to be by him kept in close confinement in the walls of said prison and upon a date to be hereafter named by the court be hanged by the neck until you are dead, and may God have mercy on your soul."

As sentence was pronounced the prison pallor on the face of the convicted man became more pronounced, but he did not show any outward signs of emotion.

Fair Scores Made at the Semi-Monthly Shoot of the Pistol Club.

Mediocre scores were the rule last night at the Pacific Indoor Shooting Club's regular semi-monthly shoot.

William F. Blasse made the highest pistol score of 87 out of the possible 100.

This shoot closed the match for the Corey special prize for rifle shooting. The prize was won by Mr. Kolander, who made a total of 1202 out of a possible 1250. Kolander held a decided lead over other contestants. The second man was Chris Meyer, with a score of 1194.

The following are the scores:

Pistol and revolver, U. S. R. A.—Theo Kyika, 81, 79, 76, 81, 80; F. V. Kingston, 86, 81.

Re-entry—William F. Blasse, 87, 78; H. E. Witt, 85; F. V. Kingston, 86, F. J. Stanton, 85.

Members' medal match—F. J. Stanton, 61.

Rifle, Corey special shoot—C. Meyer, 122, 120, 120, 118, 118, 115, 111, 116.

Bronze medal—J. Bolter, 231.

Members' medal match—C. Meyer 235; J. Bolter, 231; M. Blasse, 224; M. Kolander, 217.

Preparations are being rapidly advanced for the special prize tournament to be held on the nights of October 13 and 14.

The first indoor Coast championship matches for rifle, revolver and pistol will be held along with this shoot.

Post Aug 26 / 1906



Captain F. P. Cockburn, Who Offers Alleged Spurious Washington Letter for Sale.

Theodore Kytka Says Spurious Epistle of George Washington Is Being Offered by Capt. F. P. Cockburn.

THEODORE KYTKA, the well-known expert, is authority for the statement that a spurious George Washington letter is being offered for sale in this city by an Englishman calling himself Captain F. P. Cockburn, retired, of the British army. Because Kytka is ever in quest of rare letters and because he is always on the lookout for the fakes, genuine and otherwise, relating to writing, he found an oblique advertisement in one of the morning papers which to him had the earmarks of fraud. It stated that an original letter, written by George Washington to Hinkley's naval flour of the date of January 1, 1781, was on sale. Answers were to be sent to a designated box.

With the littleness of the matter concerned Kytka argued that he might be conscious of the fact that the letter was not genuine and so had taken what he regarded as a safe way to get himself in communication with those who might accept the advertisement. At the time upon this pretense, Kytka thought that to make personal application would not be the best way of locating the letter, as he might be regarded as meddling with the owner's property. Accordingly he got Dr. Alfred C. Banks to answer the advertisement. Six days passed before an answer was received, the letter being that the latest time had elapsed for the owner of the letter to have concluded his own investigation of the Banks.

COCKBURN'S ANSWER.

Whatever the motive may have been, the following answer was received: "I am O'Farrell, eldest son, July 29, 1844—Dear Sir: In answer to your dated July 24th to Box 510, I beg to inform you that I have in my possession and am willing to give for price you would be willing to give for the same. Yours faithfully, CAPTAIN F. P. COCKBURN."

The enclosed copy of the Washington letter made.

NEW WINDSOR, January 25, 1844—Dear Sir: I would have wished as General Howe to about to make his journey the consequences of leave formerly granted him that you could have remained at the present in his or General Patterson's return, but as this seems impossible from a pressure of family matters I send you a copy of the letter which I have in my possession and am willing to give for price you would be willing to give for the same. Yours faithfully, CAPTAIN F. P. COCKBURN."

shows yellow on the out-ides of every quill stroke." In proof of this Kytka showed a French document of the same date under the microscope.

"Outlining, he added: 'The ink of the letter in the possession of Captain Cockburn is clean, modern, lithographic ink. The copy is made on a blank leaf taken from an old book. That is the only way in which the manufacturers of autographs can obtain a genuine old paper. This letter and the way in which Captain Cockburn is endeavoring to dispose of it inflicts exactly with all the records of spurious transactions.'"

RECORDS OF OTHER LETTERS.

With this statement, out came a book on autographs from Kytka's library, with records of genuine letters and warnings to collectors about the forged letters and autographs in the market, explaining the manner of their manufacture and the arrests and prosecutions that have been made for the deception practiced. Known forged letters have in every case been advertised and almost invariably have been found in the possession of men with titles, Captains or Generals. This volume also states that there are a great many manufactured George Washington letters in the United States and in England, the country in which most of these fakes are produced.

Captain Cockburn was found yesterday by a "chronicle" representative at his Farrell-street lodgings, a talkative little man who claims 45 years, but who might easily, from his appearance, have passed for 50 miles. He said that he thought of settling in California, and, with that thought in mind, had gone to Cornish, Tehama county, to which point he had shipped directly from the old country all his cases of records and personal belongings, but that Cornish would not be his destination. He rumbled on about his eighteen years' service for the Queen and said that he was retired because of disability from wounds, but was in the reserve.

COCKBURN'S STORY.

Accounting for the letter, Captain Cockburn said that his grandfather, Admiral George Cockburn, had gotten it at the time he ordered the burning of the city of Washington during the war of 1812. That he had given it to his mother and she had given it to him before she died some twenty years ago. An explanation of detail explained how his mother had asked for the letter and whether or not he

FIND CODICIL TO DAVIS WILL

Many Private Bequests Made in the Latest Testament of the Late Pioneer Samuel Davis.

While searching yesterday among the papers of the late Samuel Davis, who died in this city last April, Robert Day and Joseph Sullivan, the latter representing Attorney E. S. Pillsbury, came across an envelope containing a codicil to Davis' will of February 21, 1921, in which bequests amounting to \$106,500 are made to various San Francisco people. The total value of the estate is \$1,800,000. There were no stipulations in the will, which was found at the time of Davis' death, except the appointment of J. C. Reis as executor.

The codicil is dated March 17, 1904, and bequeaths to Davis' sister Jane, residing in New York city, one-half of all his property, and the remainder, after the payment of the \$106,500, is to be equally divided among his nieces and nephews and grand nieces and nephews. To Mrs. J. C. Reis is given \$10,000, and to Mrs. George E. Bates, sister of Chief Justice Beatty, a similar amount is left. Mrs. J. T. Condrery and Mrs. W. B. Reis also receive \$10,000 each. Mrs. J. Goldman, who was Davis' tenant for fifteen or twenty years, is given \$5000, and Miss Belle Wood receives a like amount. Mrs. Francesca B. Scammon, wife of an old friend of Davis in Downsville, is bequeathed \$3000. Miss Beale La France, his cook, is left \$2000. The other bequests are: To Chris Reis, \$2000; to Robert Day, \$1000; to the two sons of John O. Reis, \$5000 each; to Harry T. Creswell, \$1000; to James Kane, his old roommate and a veteran of the Mexican War, \$5000; to Emil Cucuel, editor of the A. B. C. Guide, \$3000; to J. W. Oresar, \$2000; to George Green, a colored man, who took care of him, \$500 and all his clothes.

Only one public bequest is made. The sum of \$20,000 is left to Daniel Meyer, to be distributed to charity as he may see fit. The codicil is written in pencil.

DEATH FOLLOWS BIG FORTUNE

Passing Away of Miss Davis, Who Was Left Million by Samuel Davis.

BALLSTON, N. Y., Sept. 19.—Miss Jessie Davis, an aged resident of Guilford, this county, who recently inherited a fortune of \$1,000,000 from the estate of her brother, Samuel Davis of San Francisco, died today, aged 84 years. Miss Davis had never received the legacy on account of proceedings declaring her mentally incompetent having been had before County Judge Rockwood, who appointed George R. West of this city a committee on the estate. An appeal from that order, which was pending at the present sitting of the appellate division at Saratoga, now falls, and the matter will come instantly before Surrogate Lester. The heirs to the estate are remote relatives living in New York, Westchester and Monroe counties of this State, who were appellants from the order.

Chronic Aug 3-1904

Interview Aug 26-1904

tion, and that when he received an offer from there he would give the people here a chance to raise the amount. Search in the British Army Register shows the name of Captain F. P.

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3-1-1905
Charmelle Day



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With the identity of the owner concealed Kytka argued that he might be conscious of the fact that the letter was not genuine, and so had taken what he regarded as a safe way to put himself in communication with those who might uncover the advertisement. Acting upon this premise, Kytka thought that to make personal acquaintance could not be the best way of insuring the letter, as he might be recognized. Accordingly he got Dr. Alfred V. Henke to answer the advertisement. Six days passed before an answer was received, the inference being that sufficient time had elapsed for the owner of the letter to have concluded his own investigation of the Bank.

about yellow on the outside of every quill stroke.

In proof of this Kytka showed a French document of the same date under the microscope.

Continuing, he added: "The ink of the letter in the possession of Captain Cockburn is clean, modern, illegible ink. The copy is made on a blank leaf taken from an old book. That is the only way in which the manufacturers of autographs can obtain a genuine old paper. This letter and the way in which Captain Cockburn is endeavoring to dispose of it tallies exactly with all the records of spurious transactions."

RECORDS OF OTHER LETTERS.

With this statement, out came a book on autographs from Kytka's library, with records of genuine letters and writings to collectors about the forged letters and autographs in the market, explaining the nature of their manufacture and the artists and the way in which they have been advertised and almost invariably have been found in the possession of men with titles, Captains or Generals. This volume also states that there are a great many manufactured George Washington letters in the United States and in England, the country in which most of these fakes are produced.

Captain Cockburn was found yesterday by a "chronicle" representative at his "Chronicle" street lodgings, a talkative little man who claims 45 years, but who might easily, from his appearance, have passed the 50 milestone. He said that he thought of settling in California, and, with that thought in mind, had gone to Corning, Tehama county, in which point he had shipped directly from the old country all his boxes of swords and personal belongings, but that Corning would not be his destination. He rambled on about his eighteen years' service for the Queen and said that he was retired because of disability from wounds, but was in the reserves.

COCKBURN'S STORY.

Accounting for the letter, Captain Cockburn said that his grandfather, Admiral George Cockburn, had gotten it at the time he ordered the burning of the city of Washington during the war of 1812, that he had given it to his mother, and, in turn, she had given it to him before she died some two years ago. An elaboration of detail explained how his mother had asked him before she died whether or not he wanted it, and how he had said: "Yes, give it to me, I can make use of it."

The suggestion that it was strange that he wanted to part with it when it was a keepsake from his mother was met by the statement that he did not care for it, quickly adding: "I have two original letters from Queen Victoria, one signing my commission and the other one written to my mother." They were not for sale.

Attention was called to the unmistakable marks at the edge of the paper, showing it had once been one of some bound volume. The Captain, quick with an explanation, said that his mother had it in a book with a number of other things. When an effort was made to find out something more about the book in which Captain Cockburn's mother had this letter, the Captain said that it was laid in a book, and then vouchsafed the further information that his mother had guarded it very carefully and had had it wrapped in flannel. Just how it was adjusted in the book in his coat of flannel was not explained.

WANTS THE BEST OFFER.

When pressed for his price on the letter the Captain said that he wanted to get the best offer that he had written to the Smithsonian Institution.

COCKBURN'S ANSWER.

Whatever the motive may have been, the following answer was received:

Dear Sir: In answer to yours dated July 21st to Box 409, I beg to inform a copy of the said letter I have in my possession, and await a further answer from you on the subject as to what price you would be willing to give for the same. Yours faithfully,

CAPTAIN F. P. COCKBURN.

For enclosed copy of the Washington letter reads:

NEW WINDBURTH January 22, 1781—

Sir: I could have wished, as General Howe is about to make his journey in consequence of having formerly granted him that you could have remained at the present till his arrival at Falmouth, but as this seems inconvenient from a pressure of family matters, I yield my consent to your immediate departure, should you find health does not permit. I am, Sir, Dr Sir Yr Most obedt Servt, J. WASHINGTON.

Edw. G. Glover.

Fortified by Dr. Banks' visiting card, Kytka set out Monday to find Captain F. P. Cockburn. He was at 163 O'Farrell street, in cheap lodgings, occupying the same room with a man who, he said, was his brother and who bore an unmistakable likeness to him. Preliminary questioning as to proof of the genuineness of the letter brought out the statement that the letter had been in the Cockburn family about eighty years.

RESULT OF KYTKA'S STUDY.

After studying the paper upon which the letter is copied Kytka saw that it was a leaf from an old book. With that he then whipped out his microscope, which had been burning a hole in his pocket from the moment he got the letter in his hands, but from that moment Captain Cockburn could not be inveigled into negotiations. He would not set a price on his treasure, and when an offer of \$50 was made by Kytka Cockburn's only answer was that he had had another offer, the amount of which he would not state. Then came an evasive statement that Dr. Banks would hear from him again when he had received other offers. Of the letter Kytka says:

"The letter is a swindle. It is a photo-illustration of an original. The ink used in the time of Washington

DEATH FOLLOWS BIG FORTUNE

Passing Away of Miss Davis, Who Was Left Million by Samuel Davis.

BALISTON, N. Y., Sept. 19.—Miss Jessie Davis, an aged resident of Guilford, this county, who recently inherited a fortune of \$1,000,000 from the estate of her brother, Samuel Davis of San Francisco, died to-day, aged 86 years. Miss Davis had never received the legacy on account of proceedings declaring her mentally incompetent having been had before County Judge Rockwood, who appointed George R. West of this city a committee on the estate. An appeal from that order, which was pending at the present sitting of the appellate division at Saratoga, now fails, and the matter will come before the Surrogate's court. The heirs to the estate are remote relatives living in New York, Westchester and Monroe counties of this State, who were appellants from the order.

tion, and that when he received an offer from there he would give the people here a chance to raise the amount.

Search in the British Army Register shows the name of Captain F. P. Cockburn in the index, but, despite the number of the reference, not a word appears about him. Sir Alexander James Edmund Cockburn, the late Chief Justice of England, who died in 1850, was a nephew of this Sir George Cockburn, who witnessed the burning of Washington. There is no mention in any of the English books of the direct descendants of Sir George Cockburn claimed as grandfather by the owner of the Washington letter, which Kytka says is a fraud.

There have been several arrests for the manufacture of George Washington letters, but only one conviction secured, that of a Robert Spring, who served a term in the Pennsylvania Penitentiary. Conviction is difficult, because the possessors of the forged letters always claim that they supposed them to be originals. The contrary is difficult to prove.

Favors Hanging Cordelia Botkin

JUDGE DENIES A NEW TRIAL

The Poisoner Is Sentenced to San Quentin for Life

On sentencing Mrs. Cordelia Botkin to life imprisonment, Superior Judge Carroll Cook this morning declared that he was in favor of hanging the woman. He spoke as follows in denying a motion for a new trial:

"If I had any doubt of her innocence I would not hesitate to give Mrs. Botkin a new trial, but 24 jurors have decided that she is guilty. The death penalty would have been imposed if the last jury, as the first, had not recommended life imprisonment. I do not agree with the jury in fixing the punishment at life."

After many postponements Judge Cook finally made his ruling denying the motion for a new trial.

POISONER IN COURT

Mrs. Botkin was present in court with her attorney, Frank McGowan. The judge at once stated that he was ready to give his decision. Three points made by the defendant's counsel in his motion for a new trial were soon disposed of.

The judge declared that the testimony as to the relations existing between Mrs. Botkin and John P. Dunning had been admitted right fully, as those relations showed the motive of the crime.

On the second point raised, that of the reading of the testimony at

the first trial to the witness at the second trial, was in accordance with legal procedure, as the testimony was only read to refresh the memories of the witnesses.

THE BRIBERY MATTER

In regard to the bribery sensation developed during the trial, the judge said that no evidence as to any misconduct on the part of any of the jurors had been produced. Even if such evidence had been produced, it would have proved of no avail, as the defendant herself demanded that the trial proceed with the jurors that had been selected.

The crime for which Mrs. Botkin will spend the remainder of her life behind prison doors at San Quentin is the poisoning by candy of Mrs. John P. Dunning, with whose husband she was in love. About the same time that Mrs. Dunning died, her sister, Mrs. Ida H. Deane, also passed away.

At the first trial of the case the jury found Mrs. Botkin guilty and on an appeal to the Supreme Court was granted a new trial.

Judge Cook granted a stay of execution of 30 days in order that a bill of exceptions might be prepared.

PUBLIC SENTIMENT

The concluding words of Judge Cook's opinion are as follows:

"I of course know that public sentiment is adverse to the defendant. Had I any doubt as to the defendant's guilt I would not hesitate to grant her a new trial, even though the jury had found her guilty, and the entire community so considered her; but this case has been twice

tried, and I have heard all of the evidence given at both trials. On each of said trials she has had the benefit of every protection with which the law clothes cases charged with crime. In both trials, however, there was a doubt in my mind as to the ruling to be made. I resolved that doubt in favor of the accused, so that I might feel if she was convicted that there would be no ground upon which it might be claimed that her conviction was due to public sentiment.

WOULD TO HANG

"Twenty-four jurors have declared her guilty after trials in which everything but strictly legal evidence was excluded. On both of these trials she was ably defended by two counsel, whose standing at the bar of this state is unquestioned and whose eloquence in pleading for her could be surpassed by none. On both trials the eloquence and ability of her counsel so affected the two juries which tried her that she was saved from suffering the death penalty, which unquestionably would have been imposed had her punishment rested with the court."

BOTH TRIALS FAIR

"I feel that the defendant has had two absolutely fair trials, and, being satisfied that both juries by which she has been tried, were fully justified from the evidence in finding her guilty of murder in the first degree, although I do not agree with them in respect to the penalty imposed, I can find no reason for disturbing the verdict rendered. The defendant's motion for a new trial is therefore denied."

She Led a Gay Life

There is a sermon in the career of Mrs. Cordelia Botkin, recently convicted for a second time of the murder of Mrs. John P. Dunning.

Mrs. Botkin mailed a box of poisoned candy to Mrs. Dunning at Dover, Del. It caused the death of Mrs. Dunning and of Mrs. Henrietta Deane.

The evidence against the woman was ironclad, and Judge Cook, who presided at the trial, rebuked the jury for sending her to the penitentiary for life, declaring the prisoner should be hanged.

In her evidence before the court the woman made some fatal admissions, among them these:

"I admit I have led a gay life. I have lived for the pleasures of the world, letting none—absolutely none—of its pleasures pass me by. I would stop at nothing to gratify my desires—no, not even stopping at the divorce court, if necessary. But, to murder to secure my ends—never."

There's moral strabismus for you.

She did not realize that a woman who will let none—absolutely none—of the pleasures of life pass by her is regarded as a dangerous woman.

In this case the woman thought herself to be in love with the husband of the woman she poisoned. Having disregarded all restraint in her pursuit of pleasure did she think a jury would believe she would stop at murder? A woman's life stood between her and what she regarded as her supreme pleasure. Would this sort of woman hesitate?

Having let down the bars into forbidden fields it is easy to pass through.

The woman's story is the old story of unhallowed desire. When Mrs. Botkin entered on her campaign for selfish pleasure she would have shuddered doubtless at the prospect of a tragic outcome. Ere she was aware the temptation proved too strong for a nature that surrendered at every point.

"I admit I have lived a gay life."

Still stands the angel with the flaming sword at Eden's gate. Pass him and there is no way back to Paradise.

HANDWRITING EXPERT IN QUERBACH CASE

George T. Querbach, who is now on trial before Judge Cook of the Superior Court on a charge of murdering Mrs. Annie Wilson of 5 Capp street, once wrote a confession, according to the police. Before his arrest a letter was received by Captain of Detectives Martin, signed "Charles George Smith," and going fully into details.

Since his arrest Querbach has repudiated the letter, and the police have determined to get it before the jury if possible. To do this Handwriting Expert Kytka was called on and he has examined the writings of Querbach and "Charles George Smith," and declare that all are in the identical handwriting.

IDENTIFIES CONFESSION AS THAT OF DEFENDANT.

Several witnesses against George T. Querbach, alias Captain George Smith, alias "Plato Jack," charged with the murder of Mrs. Annie Wilson at 5 Capp street November 1st last, were examined before Judge Cook and a jury yesterday and the case will go on this morning. A letter received by Captain of Detectives Martin the day following the murder, written by Charles George Smith, in which he confessed to having killed the woman and giving as a reason his love for her, was read to the jury, and then Theodore Kytka, the handwriting expert, took the stand and identified the handwriting as that of the defendant.

CONFESSION OF MURDER

Man Who Killed Mrs. Wilson Falls Into His Own Trap

Theodore Kyika will go on the stand in Judge Cook's court and testify that a letter of confession now in the hands of Captain of Detectives Martin was written by George Querbach, now on trial for murder.

Querbach is accused of having killed Mrs. Annie Wilson at her residence, 5 Capp st.

Some time after the woman's body had been discovered and it had become known that a murder had been committed, Capt. Martin received a letter signed Chas. Geo. Smith. In this letter the writer confessed to having kicked the woman 12 times, and stated that he was guilty of her murder.

Since Querbach's arrest by Policeman Mackey on the water front

he has steadfastly denied that he wrote the incriminating letter.

Kyika, however, has made a close examination of the writing of Geo. Theodore Querbach, 5 Capp st., which was written by Querbach, and the writing of the confession. He says there can be no doubt but that the same hand penned both.

Querbach is a well known character and was known among his availing companions as "Pistol Jack."

Mrs. Wilson's little son was on the stand this morning and told the jury about finding his mother's body on his return for lunch on the fatal day. Her face and limbs were terribly bruised, and as Querbach had lived in the house, he was at once suspected of the crime.

SIGNED CONFESSION UNDOING OF QUERBACH

Man Charged With Killing Mrs. Annie Wilson Comes Near to Gallows Through Letter--At- torneys Make Vain Fight.

George T. Querbach, alias Charles George Smith, on trial for the murder of Mrs. Annie Wilson, was brought very near the gallows yesterday, when Superior Judge Cook allowed a written confession to be read in evidence against him. The confession suddenly came as a great surprise to Querbach's attorneys. They fought desperately against its admission, but it was allowed in evidence after it had been proven by expert testimony that the confession was in the handwriting of the accused.

Querbach's confession is embodied in a letter he wrote to Captain of Detectives Martin on the day following the murder of Mrs. Wilson in her home at 5 Capp street. Querbach was then a fugitive from justice and was being hunted by the police force. The letter shows that he intended to commit suicide by taking a dose of carbolic acid after he should have pursued his confession to Captain Martin.

The letter went forward, and the police troubled their efforts to effect the capture of Querbach. Twelve days later he was arrested on the water front as he was preparing to take passage in a ship water vessel.

THE FATED LETTER.

Here, to full, is the short that Querbach unconsciously set for his own life.

San Francisco, November 1, 1903.

I finished George Smith, because in you in writing, that I killed the woman, Annie Wilson, at 5 Capp street. I was thinking that you will be in jail, but you will never get me alive. As Mrs. Ophie Schreiner and I know, I got a bottle of carbolic acid in my possession, and I will use it as soon as I have finished with you. I will use it.

I was walking around town all day, hoping and expecting to get arrested by every man I met. I would have taken the law into my own hands and I take the law in my own hands.

I killed the woman in a fit of rage and passion, not knowing what I was doing until I saw the only woman I loved from the bottom of my heart, in her last struggles. For ransacking the house, I did not. And I did, I tore and cut her dresses to pieces and fled. All the other crimes, as stealing the watch or entering the grocery store, I did not. Where I am to money from to pay the woman in the apartment street, I got through blind luck. As for being a special police the time of the teamsters strike, I was not. Your books will show you that I was in Francis County Jail from June, 1900, until April, 1901.

The whole trouble comes from one George Hecker in some schooner called True, and a woman by the name of Adilbach, living in Center street, between Harrison and Hyman, Elgin and Ninth. A friend of theirs by name of Nicholas Abrahamson used to keep company with Mrs. Wilson before I went with her, and they wanted him to go back there again, and they succeeded, because I saw him in the house last Friday morning at 6:30 a. m., when I came from my work.

They brought all the crime up to make some excuse and put her against me and relinquish everything, even my own law, because Mrs. Wilson married me Saturday when I went for my things, saying "Get away from here, or I put a bullet through your brain."

If she gave me any things then, nothing would have happened. Then I went to the trial of justice for a search warrant could not get one went to the office of the best met him at Sixteenth and Mission at 12:30 p. m.—no satisfaction, until she provoked me to the deed I committed yesterday.

I am willing to die for the crime I committed, but I do it by my own hand, because without Mrs. Wilson I cannot live.

Casper Willett is quite innocent of anything. It is right I met him at Mr. Ophie's saloon Sunday night at 7:30 p. m.

Hoping to pay for my time in the next world, I remain,

CHARLES GEORGE SMITH

LEAVING IN EVIDENCE.

The theory of the prosecution is that Querbach murdered Mrs. Wilson because she had broken her promise to marry him and had compelled him to leave her house. The State is trying to prove that after Querbach had beaten the woman to death he tore into against the garments he had given her against their wedding day, and that he then ransacked her house and secured the jewelry he had given her.

The torn and tattered articles of female wear, more witnesses to Querbach's heinous wrath, were displayed in evidence yesterday.

The belief of the jury is that Querbach crawled through a rear window of Mrs. Wilson's house at about 2 o'clock of the afternoon of November 1, 1903, and then took her life.

The furious barking of two fox terrier dogs is relied upon by the United Attorney to prove the inhuman and the time of Querbach's entrance to the house.

Mrs. Elizabeth Maher, who lives on Wil-

GEORGE T. QUERBACH, CONFESSED SLAYER



teenth street, and whose rear yard abuts that of the Wilson house, is the owner of the two dogs. She testified yesterday that at about 2 o'clock of November 1st she was attracted to her yard by the unusually savage barking of her dogs. When she reached the yard she saw nothing, but her dogs continued barking, with their noses pointed to the rear wall of Mrs. Wilson's house. Mrs. Maher had to help her dogs to quiet them.

Several hours later the dogs again barked and when she reached the rear yard she found them nelling as they had noted at 2 o'clock, but this time Mrs. Maher saw policemen climbing through a rear window of Mrs. Wilson's home and she soon learned that the woman had been murdered.

The State closed its case yesterday and Querbach's defense will be made today.

CONFESSES TO BEATING WOMAN

George T. Querbach Admits That He Might Have Caused Mrs. Wilson's Death.

George T. Querbach, alias George Smith, alias "Pistol Jack," on trial before a jury in Judge Cook's court, for the murder of Mrs. Annie Wilson, this morning took the witness stand and admitted that he might have been responsible for the injuries that caused the woman's death.

On November 1, of last year, Mrs. Wilson was found dead in her rooms at No. 5 Capp street. The autopsy developed that death was due to a severe beating that she had received at the hand of some person.

Investigation by the police followed and it was ascertained that Querbach had been seen to leave the house a short time before the corpse of the woman was found.

The day following the tragedy Captain of Detectives Martin received a letter from the man suspected of the crime in which he admitted that he had beaten the woman to death.

This morning when he took the witness stand he admitted that he and Mrs. Wilson had a fight. He said that they had been engaged to be married but that the woman had cast him off some time before. On the day that she was found dead he went to the house to get some of his personal effects that had been left behind and was attacked. In the struggle he says that they fell down the stairs and that when he made his exit Mrs. Wilson was lying unconscious on the steps.

He also admitted that the day following he wrote the letter to Captain Martin, but said that he was half crazed at the time and that his only object was to save a friend, Casper Willett, whom he thought might be charged with the crime.

Argument is in progress this afternoon and the case will probably go to the jury some time this evening.

WOMAN SLAYER GUILTY

A verdict of manslaughter was brought in by a jury in Judge Cook's court this afternoon against Geo. T. Querbach, who has been on trial for murdering Mrs. Annie Wilson. Judge Cook will sentence Querbach on September 12.

WILL GO TO PRISON FOR TEN YEARS

George T. Duerbach, Who Beat a Woman to Death, Gets the Maximum Penalty in Accordance With the Verdict the Jury Gave Him at the Trial.

JUDGE COOK EXPRESSES SENTIMENT AT DECISION

Declares That If the Jury Had Said Murder in the Second Degree He Would Have Given the Prisoner a Life Sentence, as He Deserved.

"If the verdict had been murder in the second degree I should certainly have given you life in the penitentiary," said Judge Carroll Cook this morning in pronouncing sentence on George T. Querbach, convicted of manslaughter.

Querbach, alias Captain George Smith, alias "Pistol Jack," was engaged to be married to a Mrs. Annie Wilson who lived at 105 Capp street.

On November 1 of last year the woman was found dead in her house with her clothing disarranged and her body a mass of bruises.

Thirteen days later Querbach was arrested on the water front while trying to sneak aboard a vessel bound for a foreign port.

In the meantime he had written a letter to Chief of Police Whitman admitting that he was responsible for the death of the woman.

CONFESSED BEATING.

His defense was that he and the woman had a row and that she became prostrated and fell in a faint. He protested that he did not know that she was dead until the following morning, when he read it in the papers. The jury accepted the man's story as being true and returned a verdict of manslaughter.

The verdict was a general surprise to all who have followed the case, and evidently was not pleasing to Judge Cook, before whom the case was tried.

MAXIMUM PENALTY.

In pronouncing sentence this morning he gave Querbach the maximum penalty and sentenced him to ten years in the penitentiary at San Quentin. He said that the case was an aggravated one, and his only regret was that he could not send the convicted man to State prison for life.

Querbach's attorneys were so well satisfied with the verdict that they announced that no appeal would be taken, and the convicted man will be taken to the prison by one of Sheriff Curila's deputies this afternoon.

Will Contest

Mary G. Stone brought suit today to contest the admission to probate of an alleged codicil to the will of the late Samuel Davis, who left an estate valued at over one million and a half dollars.

This amendment to the will, which is dated March 17, 1904, she claims, was not written or signed by the deceased as claimed by Julius Greis, the executor of the will. The will was written by Davis on February 21, 1898.

The contestant is a niece of Davis and is 60 years old and lives in the state of New York.

MRS. BOTKIN IN COURT

Will Be Tried on October Fourth for Murder of Mrs. Ida Henriette Deane.

WRANGLE AMONG LAWYERS

Mrs. Cordella Botkin, the convicted murderess was again in court this morning. She has already been convicted of the murder of Mrs. John P. Dunning and sentenced to life imprisonment by Judge Cook.

Another charge of being responsible for the murder of Mrs. Ida Henriette Deane is now pending in Judge Dunne's court, and this morning the case was called for trial.

The defense in this case have made a motion to dismiss, but the transcript of the testimony from the lower court, where the preliminary examination was heard, has not yet been filed, and no action can be taken until this is done.

Attorney Reese Clark, who is representing Mrs. Botkin in the present case, was insistent that an immediate demand be made for the testimony, but this was refused by Judge Dunne, who said that he had enough to do to take care of the business of his own court.

The case was then continued until October 4 for trial and the noted woman who has been before the courts for the last six years was turned over to a bailiff and taken back to the County Jail.

HAS NO BELIEF IN HIS DEATH

Judge Dunne Says He Does Not Think That A. A. Kratz Was Drowned.

In open court this morning Judge Dunne expressed his doubt that A. A. Kratz, who is accused of felony embezzlement and who was to have come up for trial this morning, had been drowned.

Kratz was a member of the firm of Donandt-Kratz, which failed last year. It is alleged by the prosecution that the failure was due to the fact that the man who is now alleged to be dead took \$15,000 of the firm's money and fled to Kansas City, where he was located and arrested by Detective Thomas Gibson. He was living under an assumed name, but explained this fact by saying that he had had trouble with his partners and that the amount that he had taken was his share of the firm's profits. After being brought back to this city he was released on bail, and when the case was called in court his non-appearance was explained by the statement that he had been drowned last Friday while in bathing at Long Beach, in Southern California.

The Police Department of this city were instructed to communicate with the police of Los Angeles, and in the meanwhile the case was continued until next Thursday.

FINDS MANY EASY VICTIMS

Forger of Money Orders Floods This City and Vicinity With Much Counterfeit Paper.

PURCHASES ORDERS FOR FIFTY CENTS

Erases the Figures With Acid and Substitutes Sums Varying From \$15 to \$25—Makes Small Purchases.

The money-order forger is again at work and despite three weeks' vigilance of the Postoffice inspectors the swindler has succeeded in eluding capture. He has been operating in San Francisco, Oakland, Berkeley and San Jose, and is probably several hundred dollars richer as a result of his clever manipulation of Uncle Sam's paper.

Inspector O'Donnell thinks there is but one man concerned and the method which he pursues so closely resembles that followed by Eugene J. Rozler, who was arrested last March in Tacoma, after flooding the Pacific Coast with bogus money orders, that the inspector is inclined to suspect that the latest swindler is the man who was known to be Rozler's partner.

The scheme is not a new one, and so crude is some of the fellow's work that the inspectors are surprised that the man's arrest has not been accomplished before this. His method is to purchase a money order for 25 or 50 cents, and by the use of acids erase the original amounts and substitute a larger sum. To offset suspicion when asking for the order he has it made payable to some one out of town. Chemicals are used to erase the name of the city or town as well as the figures.

The swindler usually selects a small concern, such as a grocery store, clothing-house or haberdashery. He purchases a few articles, representing an outlay of perhaps \$1 or \$2. Then he presents the money order and is given the balance in gold or silver. At F. H. Burmeister's grocery store on Howard street he purchased about \$1 worth of groceries and ordered them sent to an address on Geary street. The delivery man spent two or three hours looking for the number that had been given him, only to discover finally that the number was fictitious. In payment for the goods Burmeister was handed a money order for \$25. The postal authorities learned that the order was originally issued September 2d, in South Berkeley, for 50 cents, and was made payable to J. A. Baum, the remitter giving his name as C. H. Howard. The purchase was made on Friday evening, September 9th.

HAD A CLOSE SHAVE.

In Berkeley the stranger had a close shave from arrest. Having purchased a fifty-cent order at Station 29, which is at 639 McAllister street in this city, the swindler journeyed to Berkeley, and, having raised the paper to \$25, walked into a furnishing goods store, made a small purchase and offered the money order in payment of the articles. He was given the change, but just as he got outside the door the proprietor discovered that, while the order was made payable to H. B. Hatfield, he had blunderingly signed A. C. Hatfield. The proprietor demanded the return of his money, and, after a few words of explanation which didn't suit the storekeeper, the money was refunded, the bogus paper was returned to its owner and the stranger departed without his purchase.

The incident, however, didn't seem to disturb the swindler enough to make him destroy the paper. He took it to San Jose, where he found a ready victim in T. G. Jenkins, proprietor of a lodging-house at 19 North Market street. A week's room rent in advance was paid, and the stranger was thus generous that he didn't even ruffle the bed clothes. He disappeared the same day he engaged the room, taking the key to his room with him.

While in San Jose he presented another order which he had purchased at Station 53, in the drug store on the corner of Polk and Eddy streets, in this city. The original value of this order was 50 cents and was made payable to R. L. Sloane of Fresno, the remitter being C. Williams. It was issued on September 10th. It was on the 14th that he offered it to the proprietor of the Angelus lodging-house, at 65 North First street in San Jose, his face value having been raised from 50 cents to \$15.

PAYS RENT IN ADVANCE.

Well supplied with a bunch of San Jose money, he proceeded to the Postoffice, where he coolly purchased two orders, one for 75 cents, payable to J. M. Bradford of San Francisco, and the other for 50 cents, payable to H. L. Wilson & Son. Both of these orders were raised to \$25 and one was cashed by M. W. Wriston, proprietor of a rooming-house at 622 Post street, in this city, and the other by the landlady at the Progresso House at 1145 Sutter street. In each of these cases the stranger paid a week's rent in advance and then disappeared with the key.

On his way back to this city from San Jose the fellow stopped off at Santa Clara and purchased a 50-cent order payable to H. Howard & Son of San Francisco. This he valued to \$25 and made it payable to Just A. Brown and Joseph H. Brown.

CONTEST OVER DAVIS ESTATE

Executor of an Heir Files Opposition to Probate of Codicil to Will

A contest was entered this morning to prevent the probate of the codicil of the will of Samuel Davis, who died on April 6, 1904, leaving an estate valued at \$1,163,000, and appointing Julius Greis of 408 California street executor without bonds. The contest has been entered by the Mercantile Trust Company, executor of the estate of Henry W. Davis, a beneficiary under the will of Samuel Davis, who was to secure one-fourth of the property, Mary G. Stone, a niece, joining with the trust company. The will was drawn up on February 21, 1898, and the codicil annexed March 17, 1904. The contest filed to-day declares that the codicil was not in the handwriting of the deceased. Both the will and the codicil were photostatic papers.

JUMPED FROM FLYING TRAIN

Alonzo J. Whitman, Notorious Forger Arrested at St. Louis, Escapes From Detectives.

BUFFALO, September 22.—Alonzo J. Whitman, probably the most notorious forger in America, escaped from the custody of detectives to-day by plunging through the window of an express car, going at the rate of sixty-five miles an hour. As soon as possible the detectives started in pursuit, but it is believed there is little chance of recapturing the fugitive. Whitman was on his way to Buffalo from St. Louis, where he was arrested, charged with forging a check for \$100 on the Fidelity Trust Company of Buffalo.

At one time a millionaire and director in half a dozen banks and for one term Mayor of Duluth, Whitman has a record that is in a class by itself in the annals of the detective bureau of the country. He is 42 years of age and since 1893 has come into possession of hundreds of thousands of dollars through his clever manipulation of checks, drafts and other commercial paper. He is an expert forger.

George T. Querbach, Who Beat a Woman to Death, Gets the Maximum Penalty in Accordance With the Verdict the Jury Gave Him at the Trial.

JUDGE COOK EXPRESSES SENTIMENT AT DECISION

Declares that if the Jury Had Said Murder in the Second Degree He Would Have Given the Prisoner a Life Sentence, as He Deserved.

"If the verdict had been murder in the second degree I should certainly have given you life in the penitentiary," said Judge Carroll Cook this morning in pronouncing sentence on George T. Querbach, convicted of manslaughter. Querbach, alias Captain George Smith, alias "Halo Jack," was engaged to be married to a Mrs. Annie Wilson who lived at 195 Capp street. On November 1 of last year the woman was found dead in her house with her clothing disarranged and her body a mass of bruises. Thirteen days later Querbach was arrested on the water front while trying to sneak aboard a vessel bound for a foreign port. In the meantime he had written a letter to Chief of Police Whiteman admitting that he was responsible for the death of the woman.

CONFESSED BEATING.

His defense was that he and the woman had a row and that she became prostrated and fell in a faint. He protested that he did not know that she was dead until the following morning when he read it in the papers. The jury accepted the man's story as being true and returned a verdict of manslaughter.

The verdict was a general surprise to all who have followed the case, and evidently was not pleasing to Judge Cook, before whom the case was tried.

MAXIMUM PENALTY.

In pronouncing sentence this morning he gave Querbach the maximum penalty and sentenced him to ten years in the penitentiary at San Quentin. He said that the case was an aggravated one, and his only regret was that he could not send the convicted man to State prison for life.

Querbach's attorneys were so well satisfied with the verdict that they announced that no appeal would be taken, and the convicted man will be taken to the prison by one of Sheriff Curtis' deputies this afternoon.

Will Contest

Mary G. Stone brought suit today to contest the admission to probate of an alleged codicil to the will of the late Samuel Davis, who left an estate valued at over one million and a half dollars.

This amendment to the will, which is dated March 17, 1904, she claims, was not written or signed by the deceased as claimed by Julius Greis, the executor of the will. The will was written by Davis on February 21, 1898.

The contestant is a niece of Davis and is 60 years old and lives in the state of New York.

WRANGLE AMONG LAWYERS

Mrs. Cordelia Rutkin, the convicted murderess was again in court this morning. She has already been convicted of the murder of Mrs. John P. Dunning and sentenced to life imprisonment by Judge Cook.

Another charge of being responsible for the murder of Mrs. Ida Henriette Deane is now pending in Judge Dunne's court, and this morning the case was called for trial.

The defense in this case have made a motion to dismiss, but the transcript of the testimony from the lower court, where the preliminary examination was heard, has not yet been filed, and no action can be taken until this is done.

Attorney Rose Clark, who is representing Mrs. Rutkin in the present case, was insistent that an immediate demand be made for the testimony, but this was refused by Judge Dunne, who said that he had enough to do to take care of the business of his own court.

The case was then continued until October 4 for trial and the noted woman who has been before the courts for the last six years was turned over to a bailiff and taken back to the County Jail.

Post 20. Sept 1904

HAS NO BELIEF IN HIS DEATH

Judge Dunne Says He Does Not Think That A. A. Kratz Was Drowned.

In open court this morning Judge Dunne expressed his doubt that A. A. Kratz, who is accused of felony embezzlement and who was to have come up for trial this morning, had been drowned.

Kratz was a member of the firm of Donandt-Kratz, which failed last year. It is alleged by the prosecution that the failure was due to the fact that the man who is now alleged to be dead took \$18,000 of the firm's money and fled to Kansas City, where he was located and arrested by Detective Thomas Gibson. He was living under an assumed name, but explained this fact by saying that he had had trouble with his partners and that the amount that he had taken was his share of the firm's profits. After being brought back to this city he was released on bail, and when the case was called in court his non-appearance was explained by the statement that he had been drowned last Friday while in bathing at Long Beach, in Southern California.

The Police Department of this city were instructed to communicate with the police of Los Angeles, and in the meanwhile the case was continued until next Thursday.

Makes Small Purchases

The money-order forger is again at work and despite three weeks' vigilance of the Postoffice inspectors the swindler has succeeded in eluding capture. He has been operating in San Francisco, Oakland, Berkeley and San Jose, and is probably several hundred dollars richer as a result of his clever manipulation of Uncle Sam's paper.

Inspector O'Connell thinks there is but one man concerned and the method which he pursues so closely resembles that followed by Eugene J. Rozler, who was arrested last March in Tacoma, after flooding the Pacific Coast with bogus money orders, that the inspector is inclined to suspect that the latest swindler is the man who was known to be Rozler's partner.

The scheme is not a new one, and so crude is some of the fellow's work that the inspectors are surprised that the man's arrest has not been accomplished before this. His method is to purchase a money order for 25 or 50 cents, and by the use of acids erase the original amounts and substitute a larger sum. To offset suspicion when asking for the order he has it made payable to some one out of town. Chemicals are used to erase the name of the city or town as well as the figures.

The swindler usually selects a small concern, such as a grocery store, clothing-house or haberdashery. He purchases a few articles representing an outlay of perhaps \$1 or \$2. Then he presents the money order and is given the balance in gold or silver. At F. H. Burmeister's grocery store on Howard street he purchased about \$4 worth of groceries and ordered them sent to an address on Kearny street. The delivery man spent two or three hours looking for the number that had been given him, only to discover finally that the number was fictitious. In payment for the goods Burmeister was handed a money order for \$25. The postal authorities learned that the order was originally issued September 3d, in South Berkeley, for 50 cents, and was made payable to J. A. Baum, the retailer giving his name as C. H. Howard. The purchase was made on Friday evening, September 3th.

HAD A CLOSE SHAVE.

In Berkeley the stranger had a close shave from arrest. Having purchased a fifty-cent order at Station 23, which is at 639 McAllister street in this city, the swindler journeyed to Berkeley, and, having raised the paper to \$25, walked into a furnishing goods store, made a small purchase and offered the money order in payment of the articles. He was given the change, but just as he got outside the door the proprietor discovered that, while the order was made payable to H. B. Hatfield, he had blunderingly signed A. C. Hatfield. The proprietor demanded the return of his money, and, after a few words of explanation which didn't suit the storekeeper, the money was returned to its owner and the stranger departed without his purchase.

The incident, however, didn't seem to disturb the swindler enough to make him destroy the paper. He took it to San Jose, where he found a ready victim in T. G. Jenkins, proprietor of a lodging-house at 19 North Market street. A week's room rent in advance was paid, and the stranger was that generous that he didn't even ruffle the bed clothes. He disappeared the same day he engaged the room, taking the key to his room with him.

While in San Jose he presented another order which he had purchased at Station 52, in the drug store on the corner of Polk and Eddy streets, in this city. The original value of this order was 50 cents and was made payable to R. L. Sloan of Fresno, the retailer being C. Williams. It was issued on September 10th. It was on the 14th that he offered it to the proprietor of the Angelus lodging-house, at 65 North First street in San Jose, its face value having been raised from 50 cents to \$16.

PAYS RENT IN ADVANCE.

Well supplied with a bunch of San Jose money, he proceeded to the Postoffice, where he coolly purchased two orders, one for 15 cents, payable to J. M. Bradford of San Francisco, and the other for 50 cents, payable to H. L. Wilson & Son. Both of these orders were raised to \$25 and one was cashed by M. W. Wriston, proprietor of a rooming-house at 622 Post street, in this city, and the other by the landlady at the Progress House at 1144 Sutter street. In each of these cases the stranger paid a week's rent in advance and then disappeared with the key.

On his way back to this city from San Jose the fellow stopped off at Santa Clara and purchased a 50-cent order payable to H. Howard & Son of San Francisco. This he raised to \$25 and made it payable to Just H. Bree and Joseph Broyer, a grocer on Mission street, near Twenty-eighth, cashed the order on Saturday evening, September 17th.

At Station 14, Ocean View, the swindler bought a 50-cent order payable to R. G. Sloan of Alameda. This was raised to \$16 and cashed in a drug store at Ocean View. The smallest order purchased by the fellow was at Berkeley. It was for 12 cents and was made payable to J. Malin. The paper was altered and raised to \$25.50, and was made payable to L. Howard. It was cashed by C. H. Hoecker, a grocer at Ellis and Polk streets.

The Government loses nothing by the transactions, the loss falling upon the innocent purchaser of the order.

The stranger is described as a man about 35 years old, 5 feet 10 inches tall, weight 160 pounds, and having a dark mustache. He wears alternately dark gray, dark brown and dark blue suits and either a black derby hat or bicycle cap.

A contest was entered this morning to prevent the probate of the codicil to the will of Samuel Davis, who died on April 5, 1904, leaving an estate valued at \$1,153,000, and appointing Julius Greis of 408 California street executor without bonds. The contest has been entered by the Mercantile Trust Company, executor of the estate of Henry W. Davis, a beneficiary under the will of Samuel Davis, who was to receive one-fourth of the property, Mary G. Stone, a niece, joining with the trust company. The will was drawn up on February 21, 1898, and the codicil annexed March 17, 1904. The contest filed to-day declares that the codicil was not in the handwriting of the deceased. Both the will and the codicil were photographic papers.

JUMPED FROM FLYING TRAIN

Alonzo J. Whiteman, Notorious Forger Arrested at St. Louis, Escapes From Detectives.

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PACIFIC COAST FOREST, FISH AND GAME ASSOCIATION

WM. GREER HARRISON, PRESIDENT
JAS. D. PHELAN, V. C. PRESIDENT
RICHARD E. FOLLETT, MANAGER
JAS. D. PHELAN, MANAGER

815 STEWART TELEPHONE & ADDRESS BUILDING
SAN FRANCISCO, CAL. 94102

OFFICES 37-39 PHELAN BUILDING
SECOND FLOOR

SAN FRANCISCO, CAL., Feb. 10th 1905

With compliments of the President.

SAN FRANCISCO, CAL., FRIDAY, FEBRUARY 10, 1905.

THE EYES OF THE JUDGES AT OAKLAND SPORTSMAN'S SHOW WILL TRANSFORM PAVILION INTO A FAIRYLAND.

Nature's Storehouses to Be Driven On for Game and Fish

Exhibition Hall Will Be
Redolent With the Odors
of Woods in Springtime

ATHLETES TO PERFORM

Will Take Part in Pastimes
of the Track and Field,
Showing Various Sports

When the casual spectator steps into Mechanics' Pavilion on April 1 he will think he has been transported to fairyland. Stretching before him will be a long avenue of immense trees. At the far end of the building will be a vision of mountains with a genuine waterfall leaping from rock to rock until it reaches an immense pond in the center of the building. Indian fences will flank the banks of this miniature lake and on all sides will be seen nature's riches in the shape of the varied animal, vegetable and fish life of California and the great West. Such is the central idea of the sportsman's show which is being fostered and promoted by the Pacific Coast Forest, Fish and Game Association, of which William Greer Harrison is director general. The illustration shows in a small way the intent of the management. This is the central decorative idea of the most novel exhibition ever attempted in California.

The sportsman's show will also be a nature show, instructive in a large degree and intended to educate Californians as well as picture to Eastern visitors the vast natural resources of the Pacific Slope. This has been called the sportsman's paradise on account of the great variety of game and fish that inhabit the mountains and plains, streams and ocean. For the preservation of this game and fish the exhibition is expected to be of considerable assistance. A large committee of California's foremost citizens are interested in making the show a great success with this idea always in mind.

Two weeks is the allotted time for the affair to run and a special attraction will be provided for each afternoon and evening. All forms of outdoor sports will be exploited and some of the indoor sports will be added for good measure. A rifle range for prize-shooting with carbine and revolver will form one feature. An athletic field will be utilized for a variety of sports, including indoor baseball, association football, basketball and kindred pastimes. There will be a stage for smaller exhibitions. Even the children have not been overlooked. Dr. F. W. D'Evelyn, chairman of the children's committee, announces a special department will be devoted to an exhibition of children's pets other than cats and dogs. The stipulation being that the exhibit must be either a bird, animal or plant reared by the child who enters it in competition. In this way it is hoped to foster and encourage the innate love of living things in the young.

Robert E. Follett has resigned the position of manager and director of exhibits and the position has been abolished, although Mr. Follett remains in an advisory capacity. He pleaded lack of knowledge of local conditions and the reins of management have been handed to Mr. Harrison, who will devote his well-known energy and ability to the carrying out of all plans to make this an exhibition memorable to California. The separate committees are all in charge of energetic chairmen. The proceeds will go to charity. It starts out as a success on these grounds.



'CHASERS MEET IN GOOD RACE

Horses Take Their Fences
in Clever Style, Decimo
Drawing Away at Finish

LOS ANGELES, Feb. 9.—The handicap steeplechase proved the best jumping race ever seen at Ascot, every horse fencing cleanly and running together to the last jump, where Decimo, the favorite, drew away and won easily from Allegiance and Cazador.

The second race went to Del Coronado, the strongly played favorite, through Miller's splendid ride. Mammon was second and Jardin de Paris third. William Wright was another red-hot favorite which made good. In the last race Tryon, the first choice in the betting, was beaten out. Weather cloudy; track fast. Summary:

First race, handicap, short course—Decimo, 120 (Hughes), 9 to 5, won; Allegiance, 150 (Dayton), 5 to 2, second; Cazador, 140 (Tully), 5 to 1, third. Time, 3:04. Jim Bismarck and Nitrate also ran.
Second race, one mile, selling—Del Coronado, 95 (Miller), 2 to 1, won; Mammon, 90 (Dillon), 3 to 1, second; Jardin de Paris, 72 (Herrin), 5 to 1, third. Time, 1:12. Rose of Illio, Capable, Dixie, Belle Dixon and Frank also ran.
Third race, six furlongs—Rebador, 105 (Treubell), 7 to 2, won; Nebahian, 110 (Murray), 3 to 1, second; Linda Rose, 111 (Booker), 5 to 1, third. Time, 1:15. Markham, Hood, Black Joe, Red Star and Kate (hammer) also ran.
Fourth race, one mile—Willam Wright, 95 (Miller), 7 to 1, won; Leland, 101 (McClure), 15 to 1, second; Araba, 100 (Walsh), 5 to 1, third. Time, 1:40. Imola also ran.
Fifth race, one mile, selling—The Greatheart, 20 (Harris), 4 to 1, won; Birdie, 90 (McBride), 1 to 1, second; Stars Bright, 90 (Parker), 5 to 1, third. Time, 1:32. Punctilio also ran.



ENGINEER'S PLANS FOR DECORATION OF MECHANICS' PAVILION FOR SPORTSMAN'S SHOW.

GOLDEN WESTS BADLY ROUTED

Milwaukee Bowlers Take a
Brace and Roll Up Big
Score in Second Match

The Milwaukee bowling team managed to get into the game last night long enough to give the champion Golden West aggregation a beating that was almost a disgrace. The final score of the contest on the California

COAST PLAYER IN FINE FORM

Sigourney Gains the Honor
of Playing in Final for
the Billiard Championship

CHICAGO, Feb. 9.—The deciding game for the amateur billiard championship of the United States will be played to-morrow night between W. H. Sigourney of San Francisco and Charles F. Conklin of Chicago. These two men are tied for first place, each having won five games, with one on the losing side.

Gardner of New York, who was tied with Sigourney for second place at the commencement of to-night's game with the Pacific Coast player, takes down the third prize, with four games won and two lost. The fourth prize goes to Charles A. Norris of New York and the fifth place to Charles Thresh of Boston. These two players, who were tied for fourth place, played off the tie to-day and Norris won, 200 to 256.

The final scheduled game of the tournament, played to-night between Sigourney and Gardner, was won by Sigourney, 200 to 195. With a run of 51 in the second inning, the Pacific Coast player took a commanding lead, which he steadily increased to the finish. Sigourney's average for the game was 10 to 23. Gardner made a high run of 46, and his average was 6 to 23.

Following is the grand average of the six games of the tournament and the standing of each player.

Average
Wins
Losses
Total
Sigourney 200 195 395 5
Gardner 195 200 395 4
Norris 200 256 456 2
Thresh 195 256 451 2

The Evening Post

THOMAS GARRETT, Publisher.

THE AFTERNOON PAPER OF THE PACIFIC COAST

Post Building, Bush and Kearny Streets.
ENTRANCE, 350 BUSH STREET.

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THE "EXAMINER" EMPLOYED AN EMBEZZLER AND MURDERER.

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dares in defense of the hoodling Sen-
ators. Its legislative correspondent is
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the facts, his "story" is "edited" after
it is received at the office in this city.
For instance: The testimony of the
"character" witnesses of the defense,
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testimony of the detectives who trapped
the hoodlers, was published in full,
while the cross-examination of those
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animus against the detectives was jus-
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nesses to sustain the character of the
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that it was in "boohish fashion" and
that "with their going the farce ended,
the clowns disappeared."

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"Examiner" designates "clowns" was
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joice, for if these tools of "Examiner"
revenge are permitted to go free, that
newspaper will claim "vindication" of
the "Examiner" course throughout.

Ever since the exposure of the crime
of the hoodling Senators, the "Exam-
iner" has referred to Joseph S. Jordan,
the publisher of the "Examiner," as

undeniable. There was no other course
open to the management of an honest
newspaper. Joseph Jordan had com-
mitted an infamous crime, and it was
"The Post's" misfortune that it was
committed while in the employ of this
newspaper. The "Examiner" knew
that Jordan had been dismissed from
the employ of "The Post." The fact
had been announced in conspicuous
type on the first page of the paper, on
the afternoon of the day of the ex-
posure.

Animated by personal malice, cha-
grined that its hoodling tools of the
legislative committee had been caught
through Jordan's instrumentality,
raging because it had incurred the ob-
loquy and ridicule of the entire State,
the "Examiner" resorted to the petty
device of a palpable lie in its frantic
endeavor to discredit "The Post." It
persisted in publishing the false state-
ment that Joseph S. Jordan, formerly
in the "Examiner's" employ, is the
legislative correspondent of this paper.

"The Post" was in no wise responsi-
ble for Joseph Jordan. When he came
to "The Post" he was apparently hon-
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cumstance that he had been employed
on the "Examiner" did not militate
against his personal integrity or his
ability as a newspaper man. In the
business world men are employed in
the same circumstances and with simi-
lar consequences. If "The Post" had
even suspected the character of Joseph
Jordan he would not have been em-
ployed. Can the "Examiner" say as
much concerning men whom it has em-
ployed?

When the "Examiner" em-
ployed Charles Hadley, there is
reason to believe that the mana-
gers of that newspaper knew
that he had been arrested under
the name of Charles Start in Min-
neapolis in 1889 for embezzle-
ment. They certainly knew that
he was a disreputable person
while in the employ of the news-
paper, for that knowledge was re-
vealed as soon as the murder of
Nora Fuller was discovered by the
police.

Charles Hadley was in the em-
ploy of the "Examiner" when he
murdered Nora Fuller. He had
been hired by the "Examiner" to
swear to the circulation of the
paper at the time the greater por-
tion of that circulation was find-
ing its way to the crematory.

The "Examiner" for a long
time, in face of overwhelming
evidence of his guilt, refused to
condemn Charles Hadley and
sought by various means to di-
vert suspicion from him. That
paper even went so far as to ac-
cuse the police of personal ani-
mus against the "Examiner" in
their accusation.

The "Examiner" has never for-
mally dismissed Charles Hadley,
embezzler and murderer, from its
employ. It has never published
an acknowledgment of the fact
that he was an embezzler when
he came into its employ; and it
has never admitted that their
confidential representative was a
murderer, the atrocity of whose
crime was only surpassed by the
hideous deeds of Durant.

The "Examiner," therefore, is
the last newspaper that should
seek to cast aspersions on an-
other for the sins of its employ-
ees. When it has dismissed
Charles Hadley, whom it probably
knew to be an embezzler, and
who was a murderer while in its
employ, it may infer that the
"Post" was culpable in employ-
ing Joseph Jordan. But in any
circumstance the "Examiner"
has no right to be deliberately
concerning the action of this
paper.

Joseph Jordan, call confessed

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Ever since the exposure of the crime of the hoodling Senators, the "Examiner" has referred to Joseph S. Jordan, the go-between who arranged the details of the bribery, as "the legislative representative of 'The Evening Post.'" Unquestionably this malicious he was concocted in the San Francisco office of the "Examiner," for on one occasion, by sheer inadvertence, apparently, the "editor" of the "Examiner" failed to change the name of the correspondent's reference.

Joseph Jordan was the legislative correspondent of "The Post." As soon as he was accused he was dismissed from the employ of this paper. The evidence against him was explicit and

devised of a palpable lie in its frame endeavor to discredit "The Post." It persisted in publishing the false statement that Joseph S. Jordan, formerly in the "Examiner's" employ, is the legislative correspondent of this paper. "The Post" was in no wise responsible for Joseph Jordan. When he came to "The Post" he was apparently honest and trustworthy. Even the circumstance that he had been employed on the "Examiner" did not militate against his personal integrity or his ability as a newspaper man. In the business world men are employed in the same circumstances and with similar consequences. If "The Post" had even suspected the character of Joseph Jordan he would not have been employed. Can the "Examiner" say as much concerning men whom it has employed?

When the "Examiner" employed Charles Hadley, there is reason to believe that the managers of that newspaper knew that he had been arrested under the name of Charles Start in Minneapolis in 1889 for embezzlement. They certainly knew that he was a disreputable person while in the employ of the newspaper, for that knowledge was revealed as soon as the murder of Nora Fuller was discovered by the police.

Charles Hadley was in the employ of the "Examiner" when he murdered Nora Fuller. He had been hired by the "Examiner" to swear to the circulation of the paper at the time the greater portion of that circulation was finding its way to the crematory.

The "Examiner" for a long time, in face of overwhelming evidence of his guilt, refused to condemn Charles Hadley and sought by various means to divert suspicion from him. That paper even went so far as to accuse the police of personal animus against the "Examiner" in their accusation.

The "Examiner" has never formally dismissed Charles Hadley, embezzler and murderer, from its employ. It has never published an acknowledgment of the fact that he was an embezzler when he came into its employ; and it has never admitted that their confidential representative was a murderer, the atrocity of whose crime was only surpassed by the hideous deeds of Durant.

The "Examiner," therefore, is the last newspaper that should seek to cast aspersions on another for the sins of its employees. When it has dismissed Charles Hadley, whom it probably knew to be an embezzler, and who was a murderer while in its employ, it may infer that the "Post" was culpable in employing Joseph Jordan. But in any circumstance the "Examiner" has no right to lie deliberately concerning the action of this paper.

Joseph Jordan, self-confessed hoodler, convicted agent of the "Examiner's" committee on revenge, was summarily dismissed from the employ of the "Post" as soon as his crime was discovered. Charles Hadley, embezzler and murderer, circulation promoter and crematory purveyor for the "Examiner," is still, theoretically in the employ of that paper.

The old proverb holds good in this instance: Persons who live in glass houses should not throw stones.

THREE YEARS THE SENTENCE OF STUFFER WYMAN.

THE COURT HAS NOT TO ITS OWN SATISFACTION BEEN ABLE TO DISCOVER ANY MOTIVE RESIDENT IN THE DEFENDANT HIMSELF FOR THE COMMISSION OF THE CRIME.

--From Judge Lawlor's remarks at the time of sentencing Stuffer Wyman.

FIRST OF CROWD TO RECEIVE HIS DUE.

Lawlor Sends Maestretti's Bartender to San Quentin and Declines to Accept Bail While Appeal Is Pending.

CHARLES A. WYMAN is one step nearer the goal which threw its shadow over him when he voted the name of S. H. Mann at the last primary election in addition to his own, thus earning the title of ballot-box stuffer. He was sentenced by Judge Lawlor yesterday to imprisonment in San Quentin for three years. Not even the frantic appeals of his attorney secured his admission to bail pending an appeal, and the offer to furnish surety in any amount which might be named was coldly brushed aside by the Judge, who said that the petition for bail would not be considered.

After rebuking this attempt to turn the balance of justice with the mauling of dollars, the Court dwelt on the fact that nothing could be learned from the testimony which would discover any motive "residing within the defendant himself for the commission of the crime." It looked squarely for the administration forces represented by Works Board Maestretti for the catch of a breath, but Judge Lawlor did not go deeper into the identity of those who might have furnished the "motive," leaving his hearers to read the inner meaning as best they might.

NEW TRIAL REFUSED.

A motion for a new trial was denied, as was a motion in arrest of judgment, but a stay of execution was granted, that an appeal might be perfected from the judgment for the review of the Supreme Court. Wyman received his medicine in his stolid way, as though it was intended for some one else, and seemed to have a blind faith in the ability of his saloon-keeping employer, Maestretti, or some one higher in the political scheme, to pull him out of the prison door.

In pronouncing judgment, Judge Lawlor said:

Section 8 of the Penal Code, so far as its provisions may be pertinent to the matter of punishment, provides: "Every person not entitled to vote who fraudulently votes is guilty of felony." It will be seen by this statute that it falls to fix a punishment for its violation.

Section 12 of the Penal Code declares: "Except in cases where a different punishment is prescribed by this code, every offense declared to be a felony is punishable by imprisonment in the State Prison not exceeding five years."

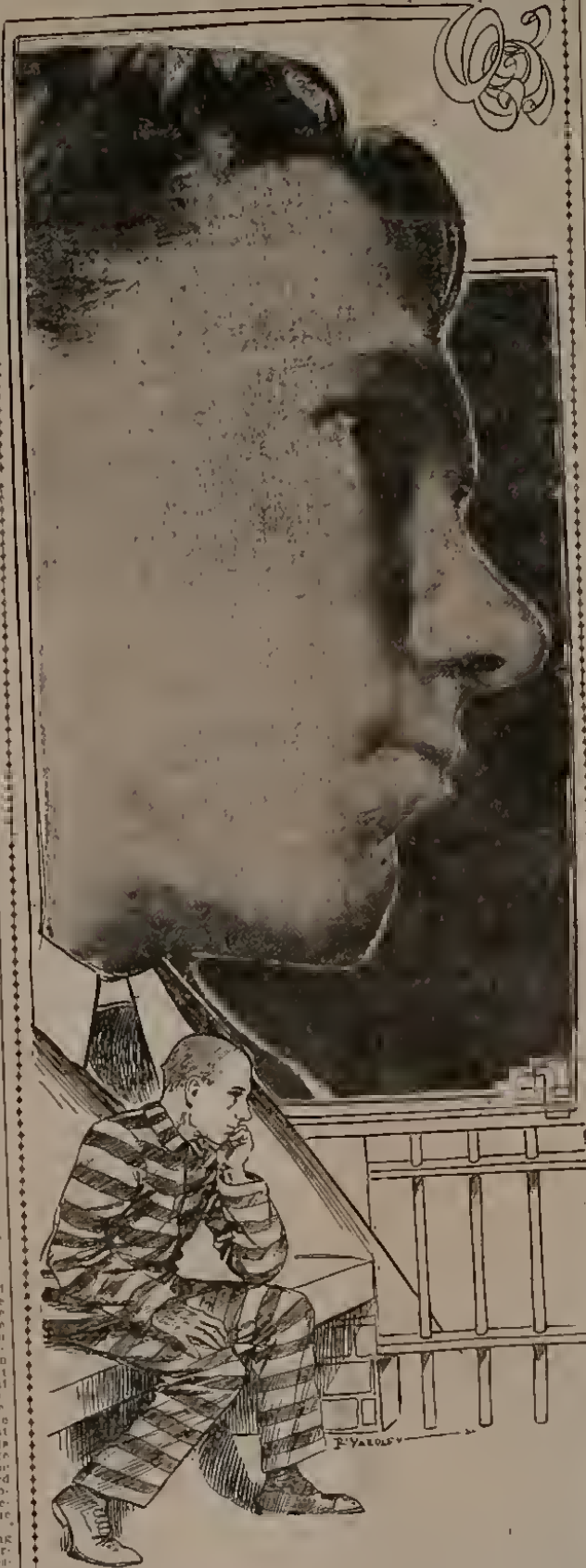
MOTIVE NOT WYMAN'S.

The Court in presiding over this trial occupied itself in an effort to determine what motive this defendant might have had to commit the act charged, but the Court has not to its own satisfaction been able to discover any motive residing within the defendant himself for the commission of the crime. The defendant did not take the stand during the trial at the case, and he contributed no testimony as to the facts of the charge. The jury has found from the evidence that the defendant is guilty, and that he committed the act made the basis of this prosecution. In the discharge of its duty the Court has considered the evidence, and shares the view expressed in the verdict of the jury as to the probability of the defendant's guilt. It is not the duty of the Court to determine the punishment.

There has been no specific showing made as to the antecedents or character of the defendant. Some intimations have been left, however, as to the defendant's life from the evidence which has been introduced during the trial. His occupation, his mode of life, and place of residence were touched upon, and nothing derogatory to the defendant apart from this charge, could be learned. It is the duty of the Court, therefore, in justice to the character of the defendant in respect to his character and antecedents, and the Court will administer such a punishment as it deems proper in view of the fact that the defendant is at the bar of justice for the first time charged with crime. The Court first then charged with the certainty of upholding the view that the certainty of punishment in a case of this character, where the integrity of public elections is involved, is paramount in importance to the quality of punishment administered. Charles Wyman, it is the judgment of the law and the sentence of the Court that you be confined in the State Prison of the State of California at San Quentin, Cal., for the term of three years.

FIRST TO FEEL THE LAW.

Wyman is the first to feel the weight of the law's hand for the violation of the integrity of public elections, leaving the upon badge of his conviction as a harbinger in his locker at Central Avenue.



Charles A. Wyman, sentenced to three years in San Quentin for fraudulent voting. The first of the gang whom the Administration depended to win the primaries in Peet the hand of the law.

Chronicle
Feb 1 -
1905

E. J. ...
Feb 5 - 1905

FAILURE TO PROVE ELECTION FRAUDS IN COLORADO

Testimony of the Expert in the Peabody-Adams Gubernatorial Contest Completely Discredited by Witnesses.

DENVER, February 4.—In the Peabody-Adams gubernatorial contest depositions of voters whose ballots have been declared illegal by the experts are being taken before twelve notaries public today. At least 300 depositions, according to Attorney John A. Rush, will have been recorded before night, including 100 executed last night.

Nearly forty witnesses had been on the stand before the committee when the session was called to order this morning. All of these have identified their ballots.

A number of witnesses, both Democratic and Republican, to-day identified as their own ballots those which experts had declared to be fraudulent.

Attorney P. J. E. Robinson, a Republican judge, identified his ballot among forty Republican ballots which an expert had declared were written by the same person. He also identified his initials under the numbers on the ballots and declared they were all ballots which were cast in his precinct on election day.

"Then," said Attorney Rush, "when expert Fleury says that these forty Republican ballots are in one handwriting, he is somewhat of a failure as an expert."

"Absolutely," said the witness. The witness declared that it was absolutely impossible that these ballots had been switched.

On examining the list of fifty Democratic and forty Republican names corresponding to the ballots which Expert Fleury reported were in one handwriting, the witness declared that he was personally acquainted with forty-five of the Democrats and thirty-five of the Republicans and knew that they voted at that precinct on election day. The other ten he knew were legally registered, but did not know them personally.

The star witness of the afternoon was Mrs. Kate Hogan. Although a Democrat who had acted as a Republican watcher in that precinct, Ward Six, on election day, in that precinct, Expert W. H. Fleury had testified that eighty-three Democrats and twenty-two Republican ballots were in the same handwriting.

Mrs. Hogan stated that when she read of charges of fraud in her precinct she made a personal canvass and out of 350 people who voted she checked up 347. The others she could not find and understood they had moved.

The names of the alleged fraudulent voters were read to Mrs. Hogan and with one exception she stated they were bona fide residents and voters.

HIS DUE.

Lawlor Sends Maestretti's Bartender to San Quentin and Declines to Accept Bail While Appeal Is Pending.

CHARLES A. WYMAN is one step nearer the goal which threw his shadow over him when he voted the name of S. B. Mann at the last primary election in addition to his own, thus earning the title of ballot-box stuffer. He was sentenced by Judge Lawlor yesterday to imprisonment in San Quentin for three years. Not even the frantic appeals of his attorney secured his admission to bail pending an appeal, and the offer to furnish surety in any amount which might be named was coldly brushed aside by the Judge, who said that the petition for bail would not be considered.

After rebuking this attempt to turn the balance of justice with the monthlying of dollars, the Court dwelt on the fact that nothing could be learned from the testimony which would discover any motive "reading within the defendant himself for the commission of the crime." It looked equally for the administration forces represented by Works Board Maestretti for the catch of a breath, but Judge Lawlor did not go deeper into the identity of those who might have furnished the "motive," leaving his hearers to read the inner meaning as best they might.

NEW TRIAL REFUSED.

A motion for a new trial was denied, as was a motion in arrest of judgment, but a stay of execution was granted, that on appeal might be perfected from the judgment for the review of the Supreme Court. Wyman received his medicine in his stolid way, as though it was intended for some one else, and seemed to have a blind faith in the ability of his saloon-keeping employer, Maestretti, or some one higher in the political scheme, to pull him out of the prison door.

In pronouncing judgment, Judge Lawlor said:

Section 46 of the Penal Code, so far as its provisions may be pertinent to the matter of punishment, provides: "Every person not entitled to vote who fraudulently votes" is guilty of felony. It will be seen by this statute that it falls to fix a punishment for its violation.

Section 35 of the Penal Code declares: "Except in cases where a different punishment is prescribed by this code, every offense declared to be a felony is punishable by imprisonment in the State prison not exceeding five years."

MOTIVE NOT WYMAN'S.

The Court in presiding over this trial occupied itself in an effort to determine what motive this defendant might have had to commit the act charged, but the Court has not to its own satisfaction been able to discover any motive residing within the defendant himself for the commission of the crime. The defendant did not take the stand during the trial of the case, and he contributed no testimony as to the merits of the charge. The jury has found from the evidence that the defendant is guilty, and that he committed the act upon the basis of his duty. The Court has considered the evidence, and chooses the view expressed in the verdict of the jury as to the probable force thereof. It only now remains for the Court to determine the punishment.

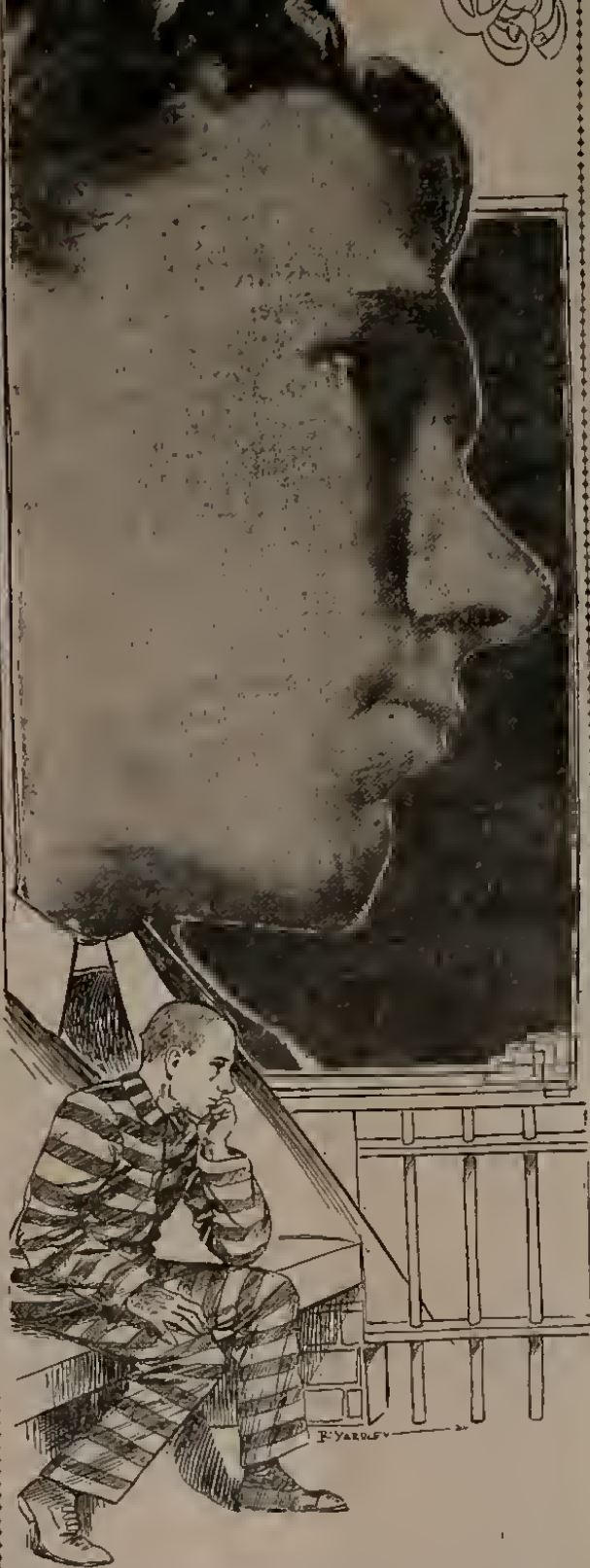
There has been no specific showing here made as to the antecedents or character of the defendant. Some impressions have been left, however, as to the defendant himself from the evidence which has been introduced during the trial. His occupation, his mode of life and place of residence, were touched upon, and nothing detrimental to the defendant, apart from his charge, could be inferred. It is the duty of the Court, therefore, to assume in favor of the defendant in respect to his character and antecedents, and the Court will administer such a punishment as it deems proper in view of the fact that the defendant is at the bar of justice for the first time charged with crime. The Court adopting the view that the certainty of punishment in a case of this character, where the integrity of public elections is assailed, is paramount in importance to the quantity of punishment administered, Charles Wyman it is the judgment of the law and the sentence of the Court that you be confined in the State prison of the State of California at San Quentin, Cal., for the term of three years.

FIRST TO FEEL THE LAW.

Wyman is the first to feel the weight of the law's hand for the violation of the integrity of public elections. Leaving the apron badge of his occupation as bartender in his locker at Maestretti's saloon, on Central avenue, he hastened out on the morning of August 9th last to do the work of a political boss, bearing in mind the "secrets" maxim to "vote early and often." Then will he do his work, but after he voted, the fellow himself alone knows, unless those to whom he reported his day's doings place more faith in his assertions than did the jury which convicted him.

That he voted once in his own name is undisputed, and that he voted again under the name of S. B. Mann at 4 o'clock in the afternoon, Fairfax Wheelan takes oath as a witness who joined his movements, and the public at large and the twelve men in particular who heard the evidence in the case believe Fairfax Wheelan rather than Wyman. Wyman's knock-knotted alibi, or the Maestretti-gilded forces of the administration.

Next in line of those who have been accused of slinking their manifold and dishonestly in such villainship at the behest of patch politicians, come Joseph Hebert, who was an election officer and refused to fill the duties of that office as he took oath that he would do, and Adolph Hoffmann, who, when he heard that an indictment had been found against him, fled to Los Angeles, disowning to his ignorance that the law's arm would ever reach him south of the Tehachas. Their trials will not long be delayed and just as rigorous a prosecution awaits them as caused even Wyman's imprisonment to desert him as he himself was exposed in all his moral cowardice.



Charles A. Wyman, Sentenced to Three Years in San Quentin for Fraudulent Voting: The First of the Gang Upon Whom the Administration Depended to Win the Primaries to Peel the Hand of the Law.

Examiner
Feb 5 - 1905.

28

FAILURE TO PROVE ELECTION FRAUDS IN COLORADO

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The star witness of the afternoon was Mrs. Kate Hogan. Although a Democrat who had acted as a Republican watcher in Precinct 14, Ward Six, on election day, in that precinct, Expert W. B. Prouts had testified that eighty-three Democratic and twenty-two Republican ballots were in the same handwriting.

Mrs. Hogan stated that when she read of charges of fraud in her precinct she made a personal canvass and out of 350 people who voted she checked up 347. The others she could not find and understood they had moved.

The names of the alleged fraudulent voters were read to Mrs. Hogan and with one exception she stated they were bona fide residents and voters.

JURY IS SELECTED TO TRY STUFFER ADOLPH STEFFENS

ADMINISTRATION FINDS HIM AN ATTORNEY

Defense Shows a Strong Prejudice Against Those Who Served on Wyman Panel and Found a Verdict of Guilty.

A JURY was secured and sworn yesterday in Judge Lander's court to try Adolph Steffens, the ballot-box stuffer. The defendant, who was a fireman in the local department, having been appointed at the instance of Commissioner of Public Works Maceretti, was indicted by the Grand Jury for a crime against the franchise similar to that for which Charles Wyman has been sentenced to serve three years in the State Prison. Steffens and Wyman were henchmen of the administration, and operated under Maceretti in the Thirty-ninth Assembly district. They both stuffed the ballot-box in the same primary precinct—the Forty-third—which is included in the Thirty-ninth district.

Steffens, however, has not received that distinguished consideration at the hands of the administration that was extended to Wyman. The fireman has been permitted to remain in jail without bonds, while Maceretti's bartender had cash or paper bail furnished by the administration whenever it was required. The administration, however, provided the defendant with an attorney, Alexander O'Grady, being at his side yesterday. Possibly the administration did not think it would be safe to furnish bail for Steffens, as the fireman stuffer has given a practical demonstration of his desire to wander from the scene of his crime, he having disappeared immediately after his indictment and before his arrest.

RETURNS AS A PRISONER.

Steffens was found in Los Angeles, from which city he was brought back by Detective Charles Taylor, who is now on his way here from the East with "Kid"oucher, who is wanted for the murder of Policeman Robinson. The trial of Steffens has been delayed several times to await the return of the detective, who will testify to finding the stuffer in the southern city, where he was living under two aliases. The fugitive stuffer was conducting a butcher shop under one name, while at the time in which he boarded he was known by another. Assistant District Attorney Ferral, assisted by the special counsel, John A. Hooper and George T. Wright, employed by the Merchants' Association, conducted the prosecution. There was comparatively little difficulty in securing a jury, but thirty-three talesmen being examined before twelve men were agreed upon to try the accused. The defense used eight of the ten peremptory challenges and the prosecution three of its five.

The preliminary inquiry of the defense was in regard to the jurors knowing Falsfax Wheelan, being members of the Merchants' Association or Citizens' Alliance and having a bias that would prevent their giving the defendant the benefit of a reasonable doubt as to his guilt.

DON'T LIKE WYMAN JUDGES.

The defense showed a decided prejudice against the jurors that served in the Wyman trial. All of these that were called to the box were challenged except Carl V. Heegard, a retired ship captain. Steffens once followed the sea, having been in the service of the Cook and Condell Survey. Possibly he relied upon salt water fellowship in accepting the captain to sit as a juror on his case.

George H. Buckingham, the foreman of the Wyman jury, stated that if the same witnesses appeared in this case as in that of Maceretti's bartender, he would be inclined to find the defendant guilty. As practically the same witnesses will appear in this trial as in that of Wyman, Buckingham was exonerated.

Thomas H. Evans, another Wyman case juror, said that he had entertained much prejudice against ballot-box stuffers because he once had his own name voted by one of them. He admitted, however, that since the conviction of Wyman his prejudice had become somewhat diminished.

John W. Hinkel, who acted on the Wyman jury, said that he had strong prejudice and believed the defendant to be guilty. He was exonerated. John H. Brown, another Wyman juror, was exonerated.

DELIBERATE IN WHOLEMAN.

George B. Sperry was a member of the Merchants' Association. He knew Falsfax Wheelan and did not believe the latter would lend himself to anything crooked. He would be like Wheelan, all other things being equal, quicker than he would a man he did not know. He was excused for this.

Mark Greenbaum was a director of the Merchants' Association and had participated in the employment of the special counsel for the prosecution. He was excused by counsel.

Leopold Wolcott, a prominent man,



Adolph Steffens, the Ballot-Box Stuffer, Who Was Brought Back From Los Angeles to Stand Trial.

THESE MEN TO TRY STEFFENS

THE following are the jurors selected to try Adolph Steffens on a charge of having fraudulently voted at a primary election:

James C. Nolan, boots and shoes, 1116 Fulton street.
Carl V. Heegard, retired sea captain, 940 Capp street.
Julian P. Rixford, real estate and mining, 1813 Pierce street.
Joseph Magnin, ladies' lingerie, 918 Market street.
Robert V. Lucy, soap manufacturer, 921 Page street.
Frederick Fischer, retired grocer, 4027 Twenty-sixth street.
George A. McCaw, grocer, 156 Belvedere street.
Oliver C. Bynum, dry goods broker, 3826 Twenty-second street.
David A. Helbing, wholesale hatter, 2449 Franklin street.
Charles R. McCormick, lumber dealer, 1510 Van Ness avenue.
William Sorensen, retired hay and grain dealer, 816 Fulton street.
Charles Carpy, president of French Bank, 2632 California street.

Chronicle
Feb 9
1905

CARTY IS SUSPECTED OF ROBBERY AND FORGERY.

Police Detain Him While Investigating Theft of Soldier's Check.

Samuel Carty, formerly employed as a real estate clerk, was placed under arrest yesterday by Detective Steve Hunter, pending an investigation of charges of forgery and robbery. Carty is accused of having stolen a deposit check for \$100 end of fraudulently endorsing it with the name of W. Green. He is identified by the party from whom the check was stolen, and handwriting experts testify that the false signature is his own hand-writing.

On the night of January 25th a sailor from the battleship Wisconsin is said to have lost a deposit check of \$100 on the Wells Fargo bank, and that the hunter was detailed on the case. While visiting the bank to have payment stopped Hunter met T. H. Carty, a grocer at 100 Market street, who had come to cash the missing check. Carty explained that the man had asked him to advance money on the check, agreeing to give him \$20 for his trouble.

Carty gave the party introduced as Green the sum of \$20 and received a written agreement from Carty to the \$20 as service. The men promised to return on the following morning for the balance, but failed to do so.

Detective Hunter later obtained trace of Carty and the sailor followed. Carty purchased his iron stove, claiming that the man named Green was a stranger to him. The name signed on the back of the check, however, corresponds with Carty's writing, and the sailor states him to be the party who was with him in a room at 110 and 112 point streets the night the check was lost.

A JURY has secured and sworn yesterday in Judge Laylor's court to try Adolph Steffens, the ballot-box stuffer. The defendant, who was a fireman in the local department, having been appointed at the instance of Commissioner of Public Works Muesireil, was indicted by the Grand Jury for a crime against the franchise similar to that for which Charles Wyman has been sentenced to serve three years in the State Prison. Steffens and Wyman were henchmen of the administration, and operated under Muesireil in the Thirty-ninth Assembly district. They both stuffed the ballot-box in the same primary precinct—the Forty-third—which is included in the Thirty-ninth district.

Steffens, however, has not received that distinguished consideration at the hands of the administration that was extended to Wyman. The fireman has been permitted to remain in jail without bonds, while Muesireil's bartender had cash or paper bail furnished by the administration whenever it was required. The administration, however, provided the defendant with an attorney, Alexander O'Grady being at his side yesterday. Possibly the administration did not think it would be safe to furnish bail for Steffens, as the fireman stuffer has given a practical demonstration of his desire to wander from the scene of his crimes, he having disappeared immediately after his indictment and before his arrest.

STEFFENS AS A FUGITIVE.

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Assistant District Attorney Fernal, assisted by the special counsel, John A. Hosmer and George T. Wright, employed by the Merchants' Association, conducted the prosecution. There was comparatively little difficulty in securing a jury, but thirty-three talesmen being examined before twelve men were agreed upon to try the accused. The defense used eight of its ten peremptory challenges and the prosecution three of its five.

The principal inquiry of the defense was in regard to the jurors knowing Fairfax Wheelan, being members of the Merchants' Association or Citizens' Alliance and having a bias that would prevent their giving the defendant the benefit of a reasonable doubt as to his guilt.

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The defense showed a decided prejudice against the jurors that served in the Wyman trial. All of those that were called in the box were challenged except Carl V. Heegard, a retired ship captain. Steffens once followed the sea, having been in the service of the "Crown" and "Georgie" Murray. Possibly he relied upon salt water fellowship in accepting the captain to sit as a juror on his case.

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BEHEVED IN WHEELAN.

George B. Sperry was a member of the Merchants' Association. He knew Fairfax Wheelan and did not believe the latter would lend himself to anything crooked. He would believe Wheelan, all other things being equal, quicker than he would a man he did not know. He was excused for life.

Monica Greenbaum was a director of the Merchants' Association, and had participated in the employment of the special counsel for the prosecution. He was excused by consent. Edmund Edwards, a insurance man, testified the case and came to the conclusion that Steffens was guilty. A challenge of this juror was allowed.

Charles H. Thornton, cordless merchant, had heard Wheelan's speech at the banquet of the Merchants' Association and believed what he said. Thornton was excused.

The indictment charging Steffens with having fraudulently forged and used the name of C. A. Green was read to the jury.

The remainder of the day was occupied by the reading of the proclamations of the various political parties in which that a primary election was held on August 3, 1905.

The trial will be resumed this morning.



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Chronicle

Feb 9

1905

Miner
Feb 2 - 1905

CARTY IS SUSPECTED OF ROBBERY AND FORGERY.

Police Detain Him While Investigating Theft of Soldier's Check.

Samuel Carty, formerly employed as a real estate clerk, was placed under arrest yesterday by Detective Steve Bunker pending an investigation of charges of robbery and forgery. Carty is accused of having stolen a deposit check for \$200 and of fraudulently indorsing it with the name of W. Green. He is identified by the party from whom the check was stolen, and handwriting experts testify that the false signature is his own hand-writing.

On the night of January 25th a sailor from the battleship Wisconsin reported the loss of a deposit check of \$200 on the Wells-Fargo Bank, and Detective Bunker was detailed to the case. While visiting the bank to have payment stopped, Bunker met T. E. Callitt, a grocer at 120 McAllister, who had come to cash the missing check. Callitt explained that two men had asked him to advance money on the check, agreeing to give him \$20 for his trouble.

Callitt gave the party introduced as Green the sum of \$20 and received a written agreement from Carty for the \$20 as services. The men promised to return on the following morning for the balance, but failed to do so. Detective Bunker later located Carty, provided his name, stating that the man named Green was a stranger to him. The name signed on the back of the check, however, corresponded with Carty's writing, and the sailor detected him to be the party who was with him in a saloon at Pine street the night the check was stolen.

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The Grand Jury has also uncovered quite startling frauds in the Thirtieth Assembly district. In the July-second primary precinct, which is known as the home of Eddie Carey, the political householder and his keeper, false returns were made, the result being the winning of the plain himself and then for the next election the winner of the leading election of the precinct were voted the "cheese" and "bunna bunna" as they are called in the neighborhood. It was all together a most interesting case in this district that the

The hyccelligation into the week
the steam engine Northland
Monterey on the morning of Monday
19th presented yesterday before the
the steam engine and boiler John H.
the afternoon of the day was in
the afternoon of the day was in

WYMAN'S GENUINE SIGNATURE

While respectfully informed the fact that he would not meet until the hall was well paid for, and if he was fighting in the hall, he would not fight in the hall, he could take his hall at the hall.

DIVORCE PROCEEDINGS.

The following divorce suits were heard yesterday: Fred W. Hall against Maud M. Hall, in which he is granted full custody of the children and the right to sell the real estate; Joseph L. Nutt against

Kent
 Rob.
 Dec
 21st

WATERS PHOTO

S. H. Mann

After the regular show at the theatre to night the amateurs will appear in several specialties and living pictures.

WYMAN'S GENUINE SIGNATURE

SAYS SPOUSE IS PERJURER

THE United States Federal building was nearly destroyed yesterday and the lithographer therein frightened out of their wits by the fall of a derrick in the yard, about 2 o'clock in the afternoon. All the trains were on time everything was working smoothly, when a crash was heard. The steel building shook, plaster fell from the walls, women screamed and strong men crashed for the doorways. When the employees managed to escape into the yard they viewed an eighteen foot derrick hanging directly above the building. A fireman in the last stages of prostration, and several workmen crawling out of the debris. The derrick was expected to come down gently and in order, but a misadventure brought it down with a crash. The only damage was to the derrick and the foreman's valuables. The financial loss amounts to \$100.

In affidavits forwarded from South Dakota and filed yesterday in the federal court, a charge of perjury is made against John Clark, who obtained a divorce from Agnes Clark on the ground of infidelity on June 4, 1932. Judge Hubbard is asked to set aside the decree on the ground of fraud. Mrs. Clark states that she knew nothing about the divorce proceedings until last July, when she received the information from the United States Pension Bureau, to which she had applied for half of Clark's pension of \$75 per month.

"I filed the summons in the suit against her, and swore that his wife resided, according to her information and belief, at Deadwood, S. D., in which place a copy of the publication was mailed. She swears that she did not receive it because, as she alleges, she well knew, she has resided at Deadwood since 1935, and that she has advised that they were married in New York on January 1, 1935, and she gives an account of their life up to April, 1935, when Clark came to California, leaving her at Keyport. She mentions that he once kept a saloon and gambling-house in South Dakota, when he left her, and she is puzzled to find out where he is. She responded to him at times subsequently. Since then she has had to work for a living, but now, being 35 years old, she cannot continue her

She accused her husband and his mother, M. J. McManis, of giving her arsenic. She denied that she had been drinking liquor, and resided at Keystone, who know her, denied as to her good character and also denied her statement that Clark knew that she was residing at Keystone. Clark pointed out that, in fact, in declaring that she had killed her husband, she had admitted that she had been drinking and had been living in a house which was burned and had been sold. An attorney named Dr. L. P. Paine acted for Clark. In getting the divorce.

Douglas and Wells Families Quar-
rel Over a Mere
Trifle.

Applied. Thong is of 113 Sedona street and William Wills of 137 Sedona street. Their loud lorked in each others' arms, while that street by Pullman King and Thong Tuesday afternoon. For the minutes the policemen lagged and pulled to repair the curb. It was like taking a postage stamp off a letter, and, so, they did they all. Then they were called for disturbing the peace, and yesterday told Police Judge Morgan that they were all about a broken-up of class.

Mrs. Poulton lived at 151 Reid street, is mother-in-law of Douglas and has several daughters, among them the one that Wells married. She has a well, pump and a windmill, and sells water to her tenants, and Douglas sold her here. The well was dug up and Wells was ready with his rent and a barrel of glass had been broken by some law in the street. Wells professed himself free to buy the glass and rent it. If Mrs. Poulton would stand half the expense of the glass, about 25 cents, and he would not pay law rent until she did. Then Douglas shut off the water. Wells had his own in the proceedings and Douglas jumped the fence and the tenant.

Wells respectfully informed the court that he would never more until that halcyon sea paid for or if he did after fighting it through every court in the land, he would take his ball of the game with him. Laughter, so rapid it built upon it, courtiers understood that he was not to turn it into an insult. The court sea paid, and he made of the situation Wells II there was any line to the law. The change was disclosed with a feeling in the parliament of the folly of their conduct.

Wahman's home" at 409 Tenth street, where huppo has been placed in their parents' guardianship was the Los Angeles Police Judge Morgan yesterday afternoon the complaint of Mrs. Anselm Weidmann, of 1133 Mission street, claiming that the huppo had been placed in the home of her husband's which she had placed in the charge of her mother, Mrs. H. L. Lott, secretary of the Japanese Exclusion Society, testified that the home was under the supervision of the society and that the huppo had been placed there over a month ago. Mrs. Lott said she had been informed everything conducted entirely in accordance with the law. The matter went over until Saturday, when those both claiming, as well as neighbors, will be called to testify as to the character of Wahman and his life.

Hogsgogo Sulfur.

If returning your baggage check will you
reach New Orleans and then leaving some at
each of the other yards below, you will re-
turning in the middle of our baggage.
The truck, along trip 35 mile, round trip 70
mile. Mexican National Railway, New Orleans,
604 Market, New Orleans East Blvd., Room 11.
Change to December 1st do not pay again
on one ticket or more. It should be paid.

The Supreme Court yesterday pronounced the decision of the lower court in an opinion by Chief Justice Brandeis, which is likely to quiet title to a mining claim in Stockton county known as the "Horn" claim, No. 7. The finding and decision in the lower court in favor of the claimant are now reversed and the title finally ordered for defendants H. L. Taylor, Oscar Wolf and Charles Tinsley.

The plan in question is one of the high quality nature in the State. With neither interested nor upon persons made some years ago all of which were intended for the future of the business to comply with some of the requirements of an act of the Legislature made March 25, 1924, which prescribed the

ADULT JAPANESE PUPILS.

The Board of Education believes that anyone above the age of 13 here is attending the Public School and perhaps that school. Public will be taken to include all such of their attendance a legal act in that not the pressure of money may be imposed that forced

NOTORIOUS CROOK CAPTURED AFTER A DARING ESCAPE

WHITEMAN IS CAUGHT AT LAST

After Exciting Chase New York
Detectives Capture Him.
Alonzo Whiteman Had Lurid
Local Career Few Years Ago.

BUFFALO, N. Y., Jan. 28.—Alonzo J. Whiteman, who made a sensational escape from detectives by jumping through the window of a moving train at Dunterlin on September 27, was recaptured at the home of his mother at Danville today. He was taken after an exciting chase and only submitted to arrest when covered by rioters. Whiteman is charged with forgery and grand larceny.

Alonzo J. Whiteman, alias A. J. Daffinfield, who is the recognized head of the Whiteman-Knox gang of Eastern band of notorious bank draft robbers and counterfeiters is rated one of the cleverest men with his pen now operating in the United States. Many San Franciscans of prominence have come to regret making his acquaintance, and in clubdom, where he cut a wide swath here during the closing months of 1904 the mention of his name brings back recollections of a O. U. S. and worthless paper the craft forger dealt out with a lavish hand.

Whiteman came to San Francisco with forged letters of introduction from some of the most prominent men in the East, and he lost no time in making use of them. He spent money like water, was recognized as a "jolly good fellow," and it was not difficult for him to secure endorsement for his paper when he ran short of the ready cash.

The first piece of paper that caused him trouble was a worthless draft for \$500 drawn on the Farmers National Bank of New York City. This draft was promptly endorsed by the late F. J. MacKell, who at that time was a leading insurance broker in this city, and was as promptly cashed by the Nevada National Bank. Before the discovery of this paper's worthless ness, however, Whiteman induced William McCluskey, a Kentucky merchant, to advance him \$250 on another worthless draft. Then came word from the East that another draft was worth the paper they were written on.

Detective Ross Whitaker was detailed on the case and arrested the notorious forger on Montgomery street, but he promptly secured release on a street bond and fled to Lansing, Mich. Detective Whitaker located him there, but the Governor of Michigan, who was a friend of Whiteman's father, refused to permit him to be extradited, and the detective returned to San Francisco without his prisoner.

It was some months later that Whitaker learned that his man had ventured to New York city, and he lost no time in communicating with the New York police. As a result of his prompt action Whiteman was again arrested, and this time he was brought back to San Francisco for trial. The evidence against him was conclusive, and he was sentenced to serve seven and a half years in San Quentin, but his stormy record, a stay of proceedings, he again jumped his bond and the charge against him still remains on the reserve calendar here.

Detective Whitaker heard no more of his man until advice came that he had been run to earth for a crime committed in New York, and had been sentenced to serve two years and a half in Sing Sing.

It is estimated that the Whiteman-Knox gang of bank thieves have cleared up nearly a quarter of a million in the past three years. They have operated in nearly every section of the United States, and although Pinkerton men are always on their trail, they have in most instances managed to escape punishment for their wholesale forgeries.



Alonzo J. Whiteman, Captured After Daring Escape.

FORGER LAKE CAUGHT IN NORTH

Man Held in Seattle Denies He
Is Al Lake, Who Is Wanted
in This City for Forgeries
Amounting to Over \$3000.

SEATTLE, Wash., Jan. 28.—Al Lake, alias William Mason, wanted in San Francisco for alleged forgeries amounting to \$3000, was arrested in this city today on a telegraphic description. Lake was a confidential bookkeeper for Robert Frost, a San Francisco contractor and mill owner. When the forgeries were discovered he had fled the country and was chased all over the country before finally being located in Seattle. The man under arrest denies that his name is Lake, and says he is in the employ of an insurance firm in Portland.

Albert Lake alias William Mason who was arrested in Seattle yesterday by a Pinkerton Agency detective, is wanted here for forgery. He was employed as a confidential clerk in Robert Frost, an Army street contractor, and while the specific amount of his peculations as reflected in the complaint sworn to against him on November 3 last is only \$300, Frost says he had been operating some time before detected and had stolen in all something like \$3000. His scheme was to take checks signed by his employer, Frost, and secure cash on them by forging the name of the payee.

After being found out in his work Lake fled the city, and men of the Pinkerton Agency, in the employ of the Bankers' Association, were put on his trail. They followed him all over the country, and finally effected his capture in the Northwestern City.

Captain of Detectives Burnett was advised of the capture last night, and himself and Detective Cady in Seattle for the prisoner. Extradition papers are now being prepared and Cady will leave early in the coming week.

STABS A BOY WHO PROTECTED HIS MOTHER

FOREST, FISH AND GAME ASSOCIATION EXHIBITION

Date of the Meeting Has Now
Been Definitely Decided Upon
and Preparations for Event
Are Already Under Way.

The International forestry, fish and game exhibition which has been long in contemplation, is to be held in Merchants' Pavilion in this city from April 1st to April 15th. The date has been permanently fixed and arrangements for the exhibition have been under way for some time.

The exhibition is to be given under the auspices of the Pacific Coast Forest, Fish and Game Association, which was recently formed for the purpose of promoting and fostering interest in the preservation and cultivation of forests, fish, game and animals. The proceeds of the affair will be divided between the San Francisco Lyceum Hospital and the Hospital for Children and Training School for Nurses.

The interior of the pavilion is to be transformed into a forest which will include trees of all kinds from all parts of the continent. The enclosure will be filled with living specimens of forest animals and birds. There will be miniature ponds and cascades to profusion and in every way the big pavilion will be made to resemble a garden spot of nature.

The exhibits will be arranged in seven different groups. Under the heading of forestry will be shown collections of seeds, reflections of plants, equipments of tree culture and forest industries, specimens of forest botany and products of forest industries.

INTERESTING EXHIBITS.

The exhibits coming under the head of fisheries will include specimens of aquatic life; casts, drawings and reproductions; anglers' equipments, rods, reels, lines, artificial flies; history and literature of angling; fish curing and canning establishments; products from fish, fresh water fish culture, aquaculture plant life, history of fish culture and literature.

In the "animals and birds" section will be exhibited specimens and collections of live game animals; specimens and collections of live game birds, insectivorous birds and song birds; skins and furs in the rough; skins prepared by the furrier, undressed furbearers and skinners, taxidermists' work.

Under the heading of "sports, games and pastimes" will be shown all kinds of sporting goods and athletic paraphernalia. Group E will include the loan collections of governments, States and private individuals. Oil paintings, water colors, photographs and drawings will be shown in the group called "Art associated with forestry, fish and game." Group G is comprised of industries associated with forest, field and mariculture, and under this head will be exhibited automobiles, motor boats and miscellaneous vehicles.

During the exhibition there will be a daily athletic carnival under the auspices of the Olympic Club. In the afternoons and evenings there will be promenade concerts. Log cabins, Indian villages, fish hatcheries and aviaries will be arranged about the building.

OFFICERS AND PATRONS

The officers and patrons of the Pacific Coast Forest, Fish and Game Association are:

Wm. Greer Harrison, president; James D. Phelan, vice-president; Ignace Siriniboni, treasurer; Richard E. Follett, manager and director of exhibits; W. de St. Paul-Sella, secretary; board of directors—William Greer Harrison, James D. Phelan, Archibald J. Frost, A. Van der Nallie Jr., W. W. Van Arsdale, Charles S. Allen, Alexander T. Vegliante, Harry Babcock, Alexander Hamilton, Charles S. Wheeler, J. A. Chasler, W. de St. Paul-Sella, secretary.

Patron—Honorable George C. Perkins, Hon. H. J. Hays, Governor of the State of California, Hon. H. J. Hays, Hon. J. de Lottinville, R. C. M. G. Lieutenant Governor of the State of British Columbia; Hon. Richard McBride, Premier of the Province of British Columbia; Hon. H. P. Frost, Chief Commissioner of the Land Works, British Columbia; Governor George A. Chamberlain of Oregon; Senator Lewis and Clark Exposition, Portland, Ore.; Benjamin Ide Wheeler, LL. D., Ph. D., president of the University of California; David Starr Jordan, LL. D., Ph. D., president of Indiana University; U. S. N. Commodore Mare Island; Thomas J. Kirk, Superintendent of Public Instruction, Department of Education, California; the Olympic Club, the Sierra Club, the California Camera Club, the Star Semperclub Club, the Outdoor Art League of California, the California Ladies Club, Mount Tamalpais National Park Association, the California Field and Game Protection Association, the San Francisco Fly Fishing Club, the Bullwinkle Club, the Jefferson Square Club, the California Game and Fish Protective Association, the McClellan River Country Club, the San Francisco Lyceum Hospital and Franchise Assn., the Hospital for Children and Training School for Nurses.

Executive Committee—Chairman, William Greer Harrison, James D. Phelan, Archibald J. Frost, A. Van der Nallie Jr., W. W. Van Arsdale, Charles S. Allen, Ignace Siriniboni, treasurer; W. de St. Paul-Sella, secretary; Richard E. Follett, manager and director of exhibits. Advisory Board—Chairman, A. Van der Nallie Jr. President of the University—Harvey H. Lloyd, president; chairman, William Thomas, University of California; Committee on Fish—Hon. David Starr Jordan, Hon. J. de Lottinville, Hon. W. W. Van Arsdale, executive chairman, A. M. Cunningham, University of Oregon; Hon. Benjamin Ide Wheeler, Secretary Chairman, Dr. F. W. O'Brien, executive chairman, A. M. Cunningham, Theodore K. Marsh, chairman Committee on Trade Exhibits.

WYMAN WILL TRY TO PROVE ALIBI

In pursuance of the obstructive tactics adopted by the defense in the trial of Charles Wyman, the alleged ballot-box stuffer, a continuance was asked yesterday until Saturday in the hope of securing the attendance of Thomas E. Atkinson, member of the Assembly, whom the defense expects will aid in the attempt to establish an alibi. The motion for continuance was made in face of the fact that under the law a member of the Legislature is exempt from processes of the Court for fifteen days before and fifteen days after a session of the Legislature. The motion was denied.

Asks for Continuance to Secure Attendance of Assemblyman, Knowing Legislator Is Exempt From Service.

THE defense in the trial of Charles Wyman yesterday asked another continuance of the trial until Saturday, claiming that the defendant was entitled to the presence of Thomas E. Atkinson, a member of the Assembly, who was to appear for him. The defense claimed that Atkinson was a member of the Assembly and was exempt from the process of the Court for fifteen days before and fifteen days after a session of the Legislature. The motion was denied. The judge said that the defendant was not entitled to the presence of Atkinson, and that the trial would proceed on Saturday.

WANTED CONTINUANCE.

Countryman asked for a continuance until next Saturday, stating that he had a telegram from Atkinson to the effect that he would come to this city after the adjournment of the Legislature. Friday afternoon an affidavit of Thomas F. Giesler, a clerk in Countryman's office, was submitted in support of the motion for delay. This affidavit set out "One of the defenses of the defendant herein is the alleged case with which he is charged is an alibi. The affidavit further stated that Atkinson was an essential witness in the defense of Wyman. It appeared that Atkinson had not been subpoenaed until December 22, 1901, so that he might avail himself of his exemption as a member of the Legislature."

Lawyer Countryman was sworn as a witness by order of Judge Lawlor and examined by the latter. The lawyer admitted that he had known Atkinson for several years and had full knowledge of his having been elected to the Legislature last November. Countryman further admitted that he knew that Atkinson would be an essential witness in the case, that he had been in court when the issue was joined in the Wyman trial, that he had on two or more occasions urged the Court for a speedy trial, announcing each time that the defendant was both fully prepared and anxious to go to trial, but on none of these occasions of record did he make any reference to the essential witness, Atkinson. Countryman admitted also that he knew the law exempting legislators from trial process during the session of the Legislature and for fifteen days preceding the fifteen days following such sessions. He said Atkinson last Saturday in this city and had not hint on a previous occasion during the trial, but would not fix the time.

Judge Lawlor said that the motion would be denied on the showing made. A motion might be made later. He would not allow the motion at this time.

Deputy Sheriff Kernan testified that he had served a subpoena on Atkinson December 22, 1901. Atkinson had accepted service, but had stated that he was exempt because of his being a member of the Legislature.

OTHERS WOULD THROW HIM IN.

The first witness called for the defense was John Dwyer, a close friend of the Hall of Justice. He testified that Joseph J. Doyle, the special policeman who had testified to Wyman's ballot-box stuffing, had told him in one of the conversations that "They're bounding me and I am afraid they will throw me in."

In cross-examination by District Attorney Dwyer the witness admitted that he had served as a regular policeman for fourteen months and had been dismissed from the force without trial. He had been one of a "blatant squad."

The defense continued to overlook the defendant at the bar and proceeded with the trial at 2 o'clock. In three days by calling regular Police man John H. Kelly rather. This witness said that Doyle had told him that he was going away to avoid getting into trouble and that he had not seen Wyman since.

SUIT BETWEEN BANKS IS AGAIN ON TRIAL.

The old suit between the Crocker-Woolworth National Bank and the Nevada Bank, involving the question as to which one of them should bear the loss due to the forgery of a check for \$22,000 by the expert manipulators, Becker and Oregon, is again on trial in the Superior Court before Judge Sewell. It has been up in the Supreme Court, and come back for another hearing.

The Bank at Woodland, on November 13, 1900, issued a check on the Crocker-Woolworth Bank for \$22,000 payable to A. H. Dean, the assumed name of one of the gang, Frank Sawyer. Charles Becker, whose chief confederate was James Oregon, worked on this piece of paper until he had converted it into a check for \$22,000 and of the first specimen of the forger's art. It was then deposited in the Nevada Bank and \$1,000 in gold was drawn on it at once. The Nevada Bank passed it on to the Crocker-Woolworth Bank, and the loss rested on the latter institution. It is seeking to compel the Nevada Bank to make good this loss.

The Nevada Bank was represented yesterday in court by Attorneys John Gairber, Peter F. Dunne and Lloyd & Wood, and the Crocker-Woolworth Bank by Attorneys D. M. Dolman and Thomas I. Bergh. The forged check, which was shown to the Judge, is kept under glass.

RUMBLE OBJECTS TO THE RESTRAINING ORDER.

George W. Rumble filed in the Superior Court yesterday an affidavit in which he denies the charges of wrongdoing made by Dix W. Smith, a stockholder of the Sunset Mining Company, against him and the other directors of the company. The suit brought by Smith was begun in October, 1901, and a restraining order tying up certain money was issued. Rumble wants the Court to set aside this order and to certify to a receiver for the company's property. He says that the restraining order has prevented the operation of the Old Glory mine and the other mining properties of the company in Bath county, and that the company consequently is suffering a heavy loss. He declares that he has not appropriated for himself any of the sums received in sales of the company's stock, that the dividends paid were not taken out of the moneys received for stock but out of the profits of operating the mine, and that he has never drawn any salary as general manager, secretary and treasurer of the company.

POLICE PUZZLED OVER A MISSING CLIPPING

Filed as Evidence in Burglary Case, but It Cannot Be Found at Defendant's Trial.

James Dickens, alias John Williams, a colored man, was convicted by a jury in Judge Dunne's court yesterday on a charge of burglary and was ordered to appear for sentence on January 24. He entered the saloon of Gomez and Gilmello, 412 Pacific street, on July 27 and stole several articles, including a gold watch.

A feature of the case was the disappearance of a clipping from a receipt book of William Schmitz, a pawnbroker on Market street. The clipping bore the signature of John Williams and at the preliminary hearing before Judge Morgan Theodore Kyika, handwriting expert, testified that from an examination of the defendant's signature on the prison book the signature "John Williams" was also written by him. The receipt was for the gold watch stolen from the saloon.

At the trial yesterday it was discovered that the clipping could not be found. It was filed as evidence in Judge Morgan's court and no traces of it could be found after that. It should have been taken by Detectives O'Don and Mulcahy, the arresting officers, to the properly clerk, but the properly clerk had no record of having received it. The result was that when Kyika was called to testify yesterday his evidence was unimpaired. An investigation will probably be made to ascertain who is responsible for the disappearance of the clipping.

KNOW HE WAS EXEMPT.

It has shown by Countryman the lawyer for the defense that he and his associates were fully informed of Atkinson's election on November 5th last and that the defense was also acquainted with the fact that exempt legislators from subpoena. Countryman had met Atkinson at different times and yet though being fully acquainted with the conditions surrounding this witness had on different occasions urged the Court to proceed to an immediate trial of Wyman, stating that he was fully prepared to go ahead, and protesting vigorously against any delay.

Judge Lawlor tentatively dismissed the motion for delay, declining to consider it further yesterday, and ordered the defense to proceed with its case. At the opening of the trial by the morning Theodore Kyika, the handwriting expert, resumed the witness stand and proceeded with the illustration of his reasons for the opinion that the fraudulent entry in the receipt book, which Wyman, the defendant, is charged with having written and voted at the August primary, and the authentic writings of the defendant that have been placed in evidence, were made by one and the same person. Members of the jury examined the various writings under a powerful microscope, following the explanations of the expert.

Kyika called the attention of the jury to the fact that Wyman is a far better writer than Mann, and that the latter's writing was lacking in motion and control of the pen. These divergent characteristics were distinctive in the writings of both men.

STRENGTH TO AVOID TRIAL.

The attitude of the defense in its struggle to avoid a trial of Wyman on the merits of the case, but persisting in confining itself to legal technicalities, was also illustrated in the refusal of Countryman to make any concessions that would expedite the proceedings. The prosecution announced that it was ready to close its case if the defense would admit the defendant's presumption for the holding of the August primary had been signed by Thomas E. Atkinson, the president, and Thomas E. Atkinson, the secretary, of the County Committee. At that point, both of whom were out of the city, Countryman refused to concede anything, and the prosecution will be obliged to present witnesses to identify the signature.

When the prosecution had closed its case, with this reservation, Countryman argued a motion to dismiss the defendant on the ground that in public the offense had been proved against him. He held that the purity of election law did not make it a public offense for one to be implicated in another's offense.

Call Jan 25 1905

Chambers Jan 12 1905

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He says that the restraining order has prevented the operation of the Old Glory mine and the other mining properties of the company in high court, and that the company consequently is suffering a great loss. He declares that he has not appropriated for himself any of the sums received by the company's stockholders, that the dividends paid were not taken out of the profits of operating the mines, and that he has never taken any salary as general manager, secretary and treasurer of the company.

The Bank of Woodland, on December 14, 1904, issued a check on the Crocker-Woolworth National Bank and the Nevada Bank, involving the question in which one of them should bear the loss due to the forgery of a check for \$2,104 by the expert manipulators, Barker and Kreegan, is again on trial in the Superior Court before Judge Howell. It has been up to the Supreme Court, and came back for another hearing.

The Bank of Woodland, on December 14, 1904, issued a check on the Crocker-Woolworth National Bank for \$2,104 payable to A. H. Davis, the assumed name of one of the gang, Frank Sawyer, Charles Barker, whose chief confederate was James Kreegan, worked on this piece of paper until he had converted it into a check for \$2,104—one of the finest specimens of the forger's art extant. It was sent to the Nevada Bank and then deposited in the Nevada Bank and then deposited in the Crocker-Woolworth Bank, and the loss rested on the latter institution. It is seeking to compel the Nevada Bank to make good this loss.

The Nevada Bank was represented yesterday in court by Attorneys John Garber, Peter P. Dunne and Lloyd & Wood, and the Crocker-Woolworth Bank by Attorneys D. M. Delmas and Thomas L. Bergh. The forged check, which was shown to the Judge, is kept under glass.

Jan 12-1905

future. The motion was denied.

Asks for Continuance to Secure Attendance of Assemblyman, Knowing Legislator Is Exempt From Service.

THE defense in the trial of the defendant on the ground that the Supreme Court could decide the point of the further trial of the defendant, which would be a waste of time and also of the money of the State. This in view of the fact that the defense has been obstructing the trial for over a year, with technicalities and trifling matters have elevated the ruling of the Judge, which immediately followed this audacious declaration, and was:

"The motion is denied."

That all the business of the institution in about justice had not been exhausted is shown by the taking of a further look by Countryman immediately he was instructed to proceed with the trial of his case.

"Mr. Bell, call Thomas E. Atkinson," instructed Countryman. The same was called at the door and, on the no response made, Atkinson being the administrator of the Assemblyman from the Thirty-ninth district and now in Sacramento, where a legislator, he is immune from the process of the Court.

He asked the Judge to adjourn the trial until next Saturday, stating that he had a telegram from Atkinson to the effect that he would come to this city after the adjournment of the Legislature Friday afternoon. An affidavit of Thomas E. Atkinson, a clerk in Countryman's office, was submitted in support of the motion for delay. This affidavit set out: "One of the defenses of the defendant here, in to the alleged crime with which he is charged is an alibi. The affidavit further stated that Atkinson was an essential witness in the defense of Wyman. It appeared that Atkinson had not been subpoenaed until December 29, 1904, so that he might call himself of his exemption as a member of the Legislature."

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KNEW HE WAS EXEMPT.

It was shown by Countryman, the lawyer for the defense, who was called as a witness that he and his associates were fully informed of Atkinson's exemption on November 18th and that the defense was also acquainted with the fact that exempt legislators from subpoena. Countryman had met Atkinson at different times and, although being fully acquainted with the conditions surrounding this witness, had on different occasions urged the Court to proceed to an immediate trial of Wyman, stating that he was fully prepared to go ahead, and protesting thoroughly against any delay.

Judge Lawlor tentatively dismissed the motion for delay, declining to consider it further yesterday, and ordered the defense to proceed with the trial. At the opening of the trial in the morning, Theodore Kyrka, the hard-driving expert, resumed the witness stand and proceeded with the illustration of his reasons for the opinion that the fraudulent entry in the United States Census, the defendant, is charged with having written and voted at the August primary, and the authentic writings of the defendant that have been placed in evidence, were made by one and the same person. Members of the jury examined the various writings under a powerful microscope, following the explanation of the expert.

Kyrka called the attention of the jury to the fact that Wyman is a far better writer than Mann, and that the latter's writing was lacking in motion and control of the pen. These direct and clear illustrations were distinct in the writings of both men.

THOUGHT TO HAVE BEEN

The attitude of the defense in its struggle to avoid a trial of Wyman on the merits of the case, but persisting in confining itself to legal technicalities, was also illustrated in the refusal of Countryman to make any concessions that would expedite the proceedings. The prosecution announced that it was ready to close the case if the defense would admit the fraudulent prosecution for the holding of the August primary had been signed by Thomas E. Atkinson, the president, and Thomas E. Atkinson, the secretary of the County Committee of that party, both of whom are out of the city. Countryman refused to concede anything, and the prosecution will be obliged to secure witnesses to identify the signatures.

When the prosecution had closed its case, with this reservation, Countryman argued a motion to declare the defendant on the ground that no public offense had been proved against him. He held that the point of election law did not make it a public offense for one election to impregnate another at a primary. That provision applied to general elections only. No penalty attached to the offense charged, in respect to a primary.

"Do you think," inquired Judge Lawlor, "that it was the intention of the Legislature to have a person that falsely impersonated another at an election escape?"

"Undoubtedly," was the bland reply of the lawyer for the defense.

Judge Lawlor took issue with this position, and held that it was the intention of the Legislature to include penal section 41 in the new act. It was not the intention of the Legislature to render immune persons committing these class of crimes against the elective franchise. The statute provided that every person who "fraudulently voted" should be punished, and, in the opinion of the Judge, false impersonation of an elector was fraudulent.

Countryman resumed his peculiar logic, arguing that legislation was made for the purpose of punishing the crime and not of punishing the person, and that to prevent a person from fraudulently impersonating another, Wyman was an elector and entitled to vote and the fact that he falsely had impersonated another elector who had registered, and was entitled to vote, was a matter of the order of the right of franchise, not of crime.

WAS FOR HIMSELF.

Then the lawyer for the defense presented an affidavit that made the attorney "nervous" appear indubitable.

Countryman further admitted that he knew that Atkinson would be an essential witness in the case, that he had been in court when the issue was joined in the Wyman trial, that he had on two or more occasions urged the Court for a speedy trial, announcing each time that the defendant was both fully prepared and anxious to go to trial, but on none of these occasions of prior did he make any reference to the essential witness, Atkinson. Countryman admitted also that he knew the law exempting legislators from civil process during the session of the Legislature, and for fifteen days preceding the fifteen days following such session. He met Atkinson last Saturday in this city and had met him on a previous occasion during the trial, but would not fix the time.

Judge Lawlor said that the motion would be denied on the showing made. A motion might be made later. He would not allow the motion at this time.

Deputy Sheriff Keen testified that he had served a subpoena on Atkinson December 29, 1904. Atkinson had accepted service, but had stated that he was exempt because of his being a member of the Legislature.

"THEY WOULD THROW HIM IN."

The first witness called for the defense was John Ford, a floor janitor at the Hall of Justice. He testified that Joseph J. Doyle, the special policeman who had testified to Wyman's ball-box stuffing, had told him in one of the stairways that "They are bounding me and I am afraid they will throw me in."

In cross-examination by District Attorney Brington the witness admitted that he had served as a regular policeman for fourteen months and had been dismissed from the force without trial. He had been one of a Chinatown squad.

The defense continued to attack the defendant's bail and pointed out with the trial of Special Police Doyle for calling regular Policeman John H. Fairweather. This was said that Doyle had told him that he was going away to avoid getting into trouble and that he had not seen Wyman since.

Fairweather had a warm experience with Brington on cross-examination. It appeared that the chief of the city hall is a brother of the defendant's. Fairweather had been appointed in the force last July, and on one occasion Master testified had assisted in getting Doyle "out of trouble." In his cross-examination Doyle the witness said that he had gained the impression that the special policeman had ruled in the Police Court when Doyle testified on the preliminary hearing. Then he had expressed surprise at Doyle's testimony to those who were standing next him. He did not know who those persons were, nor did he know how he came to be in court, except that he might have had a fight in a neighborhood.

Doyle had said to him but could not remember whether Master testified was present or not. He used a warm police officer but had never told any of the police officers of the unlawfulness which he heard and reported to Wyman.

THE TRIAL WILL BE RESUMED THIS MORNING.

The trial will be resumed this morning.

GAS BILLS REDUCED.

The making of small amounts for the use of our residents, since four bills and three hundred and thirty-four.

Call Jan 25 1905

POLICE PUZZLED OVER A MISSING CLIPPING

Filed as Evidence in Burglary Case, but It Cannot Be Found at Defendant's Trial.

James McKens, alias John Williams, a colored man, was convicted by a jury in Judge Dunne's court yesterday on a charge of burglary and was ordered to appear for sentence on January 28. He entered the saloon of Gomez and Gilmette, 412 Pacific street, on July 21 and stole several articles, including a gold watch.

A feature of the case was the disappearance of a clipping from a receipt book of William Schmalz, a pawnbroker on Market street. The clipping bore the signature of John Williams and at the preliminary hearing before Judge Morgan Theodore Kyrka, handwriting expert, testified that from an examination of the defendant's signature on the prison book the signature "John Williams" was also written by him. The receipt was for the gold watch stolen from the saloon.

At the trial yesterday it was discovered that the clipping could not be found. It was filed as evidence in Judge Morgan's court and no traces of it could be found after that. It should have been taken by Detectives O'Dea and Mulvihy, the arresting officers, to the property clerk, but the property clerk had no record of having received it. The result was that when Kyrka was called to testify yesterday his evidence was objected to and the objection was sustained. An investigation will probably be made to ascertain who is responsible for the disappearance of the clipping.

25
Jan 1905-

~~Examiner~~
Bulletin

25
Jan 1905

A UNIQUE EXPOSITION.

More general interest is now being manifested in things out of doors than at any time in the history of our country. Nature study is a prominent feature in school curriculums; field sports and athletics are more popular; the subject of forestry is not only scientifically considered by the State and National Government, but it is discussed as an economic problem in the daily newspapers, the magazines and by associations of citizens; organizations are multiplying for the promotion of popular interest in the phenomena of nature as they are visible almost at every man's doorstep; the best modern literature deals with life in the open, on the wide prairie and the broad desert, in the forests and mountains, and where the great sea spends its last strength against the coasts of the continents.

There is no region of earth that will in the slightest degree compare with the Pacific Coast for variety and quality of natural phenomena. Our forests are vast and our mountains are imposing; our rivers are noble and picturesque; our valleys are fertile and more pleasing to the eye than those of which poets have sung; our skies are of deepest azure; and our climate—but of that we are forbidden to speak because envious aliens have said it is all of which we have to boast. Let these carping censors of our enthusiasm come to us and we will show them that we have not only climate, but everything else that goes in the making of a joyous outdoor life. From British Columbia to Lower California, bounded on the east by the Cascade range and the Sierra Nevada, and on the west by the Pacific Coast is a strip of earth containing more natural wonders, more profitable resources and more that is sublime and beautiful than the traveler may find though he traverse the world beyond our borders from the Arctic to the south capes and from China to Peru.

Here then, in the metropolis of the Pacific Coast, is the appropriate place for such an exposition as has been planned by the Pacific Coast Forest, Fish and Game Association. This exposition, which has been called the First International Exhibition, will open at the Mechanics' Pavilion in this city April 1. It will include exhibits from British Columbia and Mexico, and it will present in epitome the forest, game and natural resources of California, Oregon, Washington, Idaho, Montana, Nevada, Arizona and New Mexico. There will be exhibits from the Hawaiian islands and Alaska, and in the loan collections there will be interesting specimens from many distant lands. The exhibits have been classified to include forestry; fisheries; animals and birds; sports, games and pastimes; art associated with forestry, fish and game; and industries associated with forest, field and marine sports. These in turn are divided into sub-classes, until every variety of nature product or its human adaptation will be vividly presented. The exhibition will not only be unique but it will serve for the instruction necessary in a liberal education for all who shall advantage themselves of its opportunity.

The great national or international expositions that seek to include the whole earth and the fullness thereof are disappointing and fatiguing. They strive to accomplish too much and end by accomplishing too little. There is not a department in a world's fair that is not worthy of the time spent in endeavoring to compass a view of the entire exhibition. It would be better, and perhaps more profitable, if the expositions were on a smaller scale and opened more frequently. By adopting this plan the managers would enable those specially interested in any feature of an exhibition to devote all their time to the inspection and study of that particular subject. Furthermore, the expense would be less and the profit proportionately greater.

It is on this plan that the Exhibition of the Pacific Coast Forest, Fish and Game Association has proceeded.

NG. JANUARY 24. 1905.

TESTIMONY OF
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Signature to Pawnbroker's Receipt Torn From Book, and Accused Prisoner May Escape Punishment for Crime.

It is expected that the attention of the Grand Jury will be called to the startling disappearance of material evidence against an accused burglar on trial today in Judge Dunne's court. As to whether the Police Court officials or the Police Department is to blame for the loss of a pawnbroker's receipt could be easily determined if all concerned in the mysterious affair were summoned to testify. In order not to show the weakness of their case the prosecution today did not even hint that important evidence had been lost. The prisoner has many friends and attorneys and they have been very active in his behalf recently.

On July 27 of last year the saloon of Louis Gomez and C. N. Gilmore, 412 Pacific street, was broken into and a large quantity of stuff stolen, a gold watch in the lot. Detective O'Dea, then on the pawnbroking detail as now, learned that a colored man had pawned the watch at the loan office of Harry Schmalz on Market street. The name "John Williams" had been signed on the pawnbroker's receipt for the watch but it was at once surmised that the name had been assumed for the occasion. A little work among the colored street pigeons resulted in the arrest of James Mickens. The charge of burglary was placed opposite Mickens' name on the prison register and he was hauled before Police Judge Morgan for a preliminary examination.

At the hearing Schmalz identified Mickens as the man who had pawned the watch and also introduced the receipt book with the name "John Williams" on one of its pages. Handwriting Expert Theodore Kytko had made comparison of the name James Mickens written by the accused at the time of his arrest and the name John Williams on the pawn book. The expert swore that one and the same man had written both signatures. On the testimony of the expert Judge Morgan held Mickens to answer.

Then came the slip that will probably result in Mickens' escaping all punishment. The detective in the case blames the court officials and the court officials blame the detective. At any rate the pawnbroker was allowed to return to his place of business with the receipt book still in his possession, although it contained the most important evidence against Mickens. In the pawnbroker's defense it may be said that he offered to tear out the material page and hand it over to the properly clerk. But neither the detective nor court officials appeared to think such an action was necessary. Schmalz was merely directed to appear in the Superior Court at the trial with his book.

Yesterday Kytko was preparing to go on the stand at the trial and went to the properly clerk's office to get the book, this latter having been left there earlier in the day. He was surprised to discover that the page had been removed and no trace of the tell tale signature found.

He at once notified Assistant District Attorney Whiting and the trial of the case was put over until today. In the meantime it was decided to hush the matter up and put on whatever other evidence could be produced.

MICKENS GUILTY, THOUGH
TELLTALE SLIP IS LOST.

Jury Convicts Him of Committing Burglary in the Second Degree.

James Mickens was convicted of burglary in the second degree by a jury sitting before Judge Dunne yesterday for stealing a watch from a saloon at 412 Pacific street, and will be sentenced Saturday. For a time it looked as though he would escape conviction altogether, for the watch which was stolen he sold to a Market-street jeweler, and at the preliminary examination before Police Judge Morgan the jeweler brought his book in which was recorded the name which Mickens forged at the time he sold the watch. The name was pronounced by Handwriting Expert Kytko as being in the handwriting of Mickens, and after the latter was held for trial the name was clipped from the book to be filed with the Police property clerk as evidence. Detective O'Dea was in charge of the case, and the transfer of the slip of paper from the Court to the property clerk's office lay between him and Clerk of Court Gray.

When the time came for the introduction of this slip in the trial yesterday the property clerk was called on, and denied having received the paper. Gray was positive that he turned it over to O'Dea, and the detective was sure that he received it he would have handed it at once to the property clerk. The testimony of Kytko, given from memory, was finally accepted, however, and proved sufficient for the jury.

News Jan 21 1905

Forgery Adds
to His Troubles

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The case came up on the calendar to Judge Cook's court today and was ordered placed on the reserve calendar.

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Chas. M. Fickert
for District Attorneys

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It is on this plan that the Exhibition of the Pacific Coast Forest, Fish and Game Association has proceeded. It will concentrate within a small space all that is of value out of our hills, forests and streams, together with the appliances for their utilization. It will be one of the most important exhibitions ever presented on the Pacific coast, and it should enlist the interest and hearty co-operation of every nature-loving citizen within our borders.

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Chas. M. Fickert
for District Attorney

Five Years in State Prison
the Utmost Penalty.

THE contest that is being waged in San Francisco between the advocates of good government and an administration of ballot-box stuffing and graft, as exemplified in the trial of Charles Wyman for felony in fraudulent voting, the forces of good citizenship. Wyman was found guilty yesterday by a jury of twelve citizens, and is now well on the road to the place where he will pass the penalty for his crime, the maximum punishment for which offense is five years' confinement in a State prison.

In the battle for the purity of the ballot, the trial of Wyman was a supreme test, and at the crucial moment the issue was squarely met in the forum of the people and the forces of corruption routed by the representatives of the best principles of the community.

On one side was arrayed the administration, grown reckless in its long-continued practices of booting, ball-box stuffing and other municipal corruption. On the other side were the forces of good citizenship, actively represented by the Merchants' Association and kindred organizations. So eloquently had the administration become in its corrupt revels that it had begun to believe its members immune from the operation of any law. Contemptuous of the law, representatives of the administration openly and defiantly violated the election laws at the primary held on August 9, 1901. So bold were these encroachments upon the franchise of citizens that the good-government forces decided to call a halt.

While several districts and precincts of the city reeked with fraud, the Thirty-ninth Assembly district, which is dominated by Abe Ruef, through his lieutenant, Frank Macaretti, chairman of the Board of Public Works, was the most notorious.

After the securing of ample evidence Charles Wyman, one of Macaretti's band of workers, and commonly known as "Macaretti's bartender," was arrested on complaint of Fairfax H. Wheelan. Wyman fraudulently voted the name of S. H. Mann, an elector in the Seventy-third primary precinct of the Thirty-ninth district. He entered the booth and copied the name of Mann from an index into the register, took a ballot and voted it, all in the presence of Mr. Wheelan, the latter son and a special policeman.

SPEECHES INDICATED.

The Grand Jury became active at this time and indicted Adolph Steffen, a brewer, and one of the Macaretti crew of administration politicians. Steffen fraudulently voted the name of C. A. Crew. He fled after his indictment, but was subsequently arrested in Los Angeles, brought back and will have to stand trial. Joseph Tenbroeck, former man of street sweepers for the administration, was indicted for violation of the election laws in the clubhouse precinct, his offense also having been committed at the August primary. Rebscock is awaiting trial. The last Grand Jury returned an

accusation against the Election Commissioners for willful and corrupt conduct in office on account of its course at the notorious primary, but this branch of the administration received a temporary cessation of the proceedings on the technical ground that the action should have been brought against them as criminals and not as a civil proceeding.

The trial of Wyman has occupied two weeks. The administration has left for the aid of the politicians all the devices known to a corrupt city government. Intimidation of witnesses and plain perjury abounded. Delays to give opportunity for the darkest of practices were resorted to, but finally a strong case was given to the jury and that body returned a verdict of "guilty" after having deliberated for one hour and forty-five minutes.

The delay was caused, it is said, by a bit of sentiment on the part of one juror, who has had social relations with a person connected with the defense. That finally he was overruled by the majority of eleven and a unanimous verdict resulted. So pleasant were the relations of the jurymen that a motion was put and carried that they refuse to discuss any of the happenings within the juryroom.

District Attorney Byington, in his closing argument for the prosecution, said to the jury that it might have been had to think, because of the length of time consumed in the trial of the case, that there was some doubt about the guilt of the defendant. "I think," he continued, "that there never has been a case presented in court where the evidence pointed so unerringly to the guilt of a defendant. Talk about reasonable doubt! There is no doubt in this case. There is no question whatever that Wyman wrote and voted the name of S. H. Mann. That he voted the name of Mann is as clear as the light of day."

"The people of this State worked hard for years to secure a law that would protect their franchise from the fraudulent voter. There is not an intelligent citizen who does not know that the primary is the fundamental and essential election, and if fraud is to be perpetrated at it there must be no general election. It is at the primary that the boss strikes abroad and sends his henchmen into the booths to stuff the ballot-boxes. The casting of a vote fraudulently is a felony. I do not know what particular point the defense is relying upon. Mr. countryman admitted that Wyman voted the name of Mann, but claimed that he had committed no crime, that the election officers who permitted him to vote were the guilty persons. I believe that every election officer in that booth ought to be made an accomplice and sent to the State Prison to stay there, but that fact does not lessen the great crime against the franchise committed by the defendant at the time."

WATKINSETT SCOTCH.

The District Attorney recalls with the matter of the political crowd who were by Macaretti, and relied by Coun-

WYMAN'S VERDICT

Jury That Convicted Wyman

- Carl V. Meegan, master mariner, retired, 940 Capp street.
- Albert Eason, retired grocer, 1522 California street.
- Patric Monahan, retired liquor dealer, 420 Austin street.
- Thomas Johnstone, grand reporter Knights of Honor, 1707 Ellis street.
- Bernard F. Warmbold, retired grocer, 676 Ivy avenue.
- John H. Brown, retired farmer, 841 Shramler street.
- Allyn S. Folger, collector and bookkeeper for Fulton Iron Works, 2148 Union street.
- Samuel P. Holden, merchant, 2019 Sacramento street.
- Edward W. Hinkel, real estate abstractor, 608 Walter street.
- Louis Gricketto, fruit dealer, 428 Davisadero street.
- Thomas B. Evans, retired carpenter and builder, 1608 Vallejo street.
- George H. Buckingham, stock and bond broker, southeast corner Seel and Green streets.

tyman, reflecting upon members of the opposing faction in the Thirty-ninth Assembly district.

"No public official," he said, has the right to send a circular to citizens and tell them that in collaboration of some favor done by him as such official, they should work all day and assist in the casting of fraudulent votes. An official who would do that should be lashed from public office."

Referring to the claim of the defense that Fairfax Wheelan should have protested when he found Wyman writing the name of Mann in the roster, Byington declared: "Fairfax Wheelan, in writing until after the vote was cast and the felony completed, did just what any good citizen should have done. He did just what I, as a public official, would have done. Had I seen a man acting with felonious intent I would have waited until he completed the felonious act and then would have called that he was sent to jail as a felon."

Referring to the election officers of the Seventy-third primary precinct, he said: "There was but one of the gang sent here who dared to testify that Wyman did not write the name Mann. That was Carson, the young man who had been sent to the booth to superintend the fraudulent voting and then hovered here to commit perjury. By his vacillating manner on the witness-stand he showed that he was testifying falsely. One day he testified that he did not know whether Wyman wrote the name Mann or not. The next day, evidently having in mind the boss who sent him to commit perjury, he said that Wyman did not write the name Mann. The members of the jury certainly do not believe such a witness."

WITNESSES FOR PURPOSE.

The handwritings of Mann and Wyman were compared, the District Attorney stating that while Wyman might have been entitled to vote, he was not entitled to vote the name of Mann and in doing so he had voted fraudulently. The testimony of the "exact" three witnesses, Policemen Burns, was analyzed, the District Attorney doubting the truth of his testimony that when Wyman left the

booth he said to the policeman: "I want three witnesses, Policemen Burns, to analyze the truth of his testimony that when Wyman left the



HIGH-GRADE COATS and SUITS

We will devote our energies this week to the clearing out of the high-grade line of Coats and Suits. It is a well-known fact that we carry the best goods that can be bought and sell them at prices so modest that we have built up an almost phenomenal business. This Quick Clearance then is an important event. Prices are cut, with profits forgotten. We want room for a big Spring Stock that will come crowding in before long. Take this opportunity—it is a rare one.

Take this opportunity—it is a rare one.

\$30, \$35, Suits, \$19.00

\$40, \$45 Suits, \$29.50

\$50, \$55 Suits, \$29.50

Blouse and Coat effects in black, navy, brown, green and mixtures; full plaited skirts, velvet and fancy silk waist effects. Elegant suits in every respect. Best values you have ever seen at.

\$7.50 Black Silk Waists. \$3.95

A very exceptional collection of Black Silk Waists in Tailors, Peau de Sole and Peau de Cygne. Style call for tucking, plaiting and hemstitching. Some have collars with four-in-hand ties. You will readily appreciate the bargain that may be yours when you see these \$5.00, \$6.00 and \$7.50 Waists at \$3.95

Silk Moreen Petticoats. \$2.95

Exceptionally well made and splendidly finished Colors are brown, black, blue and green. There is a wide flounce and double ruffle. By more change we are able to offer this great lot of Suits worth \$2.95 each at \$2.95

Tea Gown Clearance

Our entire stock Tea Gowns must move out to make room for the new Spring goods. We have made two lots and cut the prices as follows:

CASHMERE TEA GOWNS—Fancy in new colors: blue, black, red and rose. Values up to \$6.00 for \$3.95

FRENCH TEA GOWNS—Elaborately trimmed, colors light blue, pink, rose and lavender. \$8.75 and \$15.00 values for \$8.75

J. D. Davis & Co.
Cor. Geary and Grant Ave.



\$10.00 and Coats, \$5.00

Black cheviot and tan covert jackets and light-weight Kersey Coats, 27-inch length, loose and semi-fitted backs, in tan, casheir, navy, brown and black. Easy to choose and a great special value at \$5.00

\$22.50, \$25 Coats, \$15.00

Three-quarter English Tourist Coats in tan covert, light-weight Kersey and Broadcloth in black, navy and brown. The assortment of Black Coats in this lot is especially good. Remember that the values range from \$22.50 to \$30.00 and that the special price is \$15.00

Quick Clearance Sale of Knit Underwear

Underwear will be lively in the Underwear Department this week. We propose to close out all winter goods and do it quickly. Note the price reductions and remember our high standard of quality.

LADIES' COTTON VESTS AND PANTS—Winter weight, our regular 50c quality, reduced to 39c

LADIES' WOOL AND COTTON VESTS, TIGHTS AND PANTS—Natural color and white, our regular \$1.00 and \$1.25 quality, reduced to 75c

LADIES' WOOL VESTS, TIGHTS AND PANTS—Pure Australian wool, natural color and white, our regular \$1.75 quality, reduced to \$1.35

LADIES' FLEECE LINED UNION SUITS—Our regular \$1.25 quality, reduced to 95c

LADIES' NATURAL WOOL AND COTTON UNION SUITS—Our regular \$2.00 quality, reduced to \$1.35

LADIES' BLACK MERINO TIGHTS—Ankle and knee length, our regular \$1.25 quality, reduced to 95c

CHILDREN'S SWISS RIBBED NATURAL MERINO VESTS AND PANTS—Our regular 50c quality, reduced to 50c

STUFFER WYMAN'S CONVICTION A TRIUMPH OF DECENCY

First of the Administration
Rascals to Be Branded Felon

The People of the State of California vs. Charles Wyman: We, the jury, find that Charles Wyman, the defendant in the above-mentioned cause, guilty of felony, to wit: Voting fraudulently at the primary election held in this city and county August 9, 1904.

GEORGE H. BUCKINGHAM, Foreman.



WYMAN THE CONVICTED
BARON, BOX-SUFFERER.

MAESTRETTI'S MAN
TO WEAR STRIPES

were refused. Judge Lawlor dealt with the law in respect to the crime of felony. Fraudulent voting is a primary, reasonable doubt, presumption of innocence, burden of proof and circumstantial evidence, and the road sections from the State Constitution and the code relative to elections. Among the instructions given were the following:

When both the time and place of an election are prescribed by law, every voter has a right to take notice of the law and to deposit his ballot at the time and place appointed, notwithstanding the officer, whose duty it is to give notice of the election, has failed in that duty. The notice to be thus given is only additional to that which the statute gives, and is prescribed for the purpose of greater publicity, but the right to hold and deposit a ballot is from the statute, and not from the officer's duty.

A person who is registered as an elector from a particular territory included in a certain election precinct is not entitled to vote therein at a primary election lawfully held in the name of any other qualified elector of said precinct, or of any other person than himself, and when he votes therein in the name of any other person than himself such vote so cast is fraudulently voted.

A convention for nominate candidates for judges of the Superior Court in the city and county of San Francisco, State of California, and members of the Senate and Assembly of said State, representing districts wholly within said city and county, is a local convention, and a primary election held therein to elect delegates to such convention is a local primary election. The Board of Elections of the county of San Francisco and County of San Francisco to establish the holding of primary elections in the said city and county and also the polling places for such elections.

Failure to give notice for the required number of days will not invalidate an election where the statute requiring notice has been substantially complied with and the attendant circumstances show that knowledge of such election was had generally by those entitled to vote therein.

CASE GIVEN TO JURY.

The case was given to the jury at 3:15 P. M., and its members were taken to their room to deliberate. After the jury retired the crowd that

had so filled the court that even stand-by-room was not easily gained by anyone arriving to join them.

Mr. Wyman, who, with a lady companion, had been present during the trial, occupied a seat within the rail shed, and was joined by Public Works Commissioner Maestretti and Inspector Foster, who proved such a swift witness for the defense. Foster remained but a short time, when he retired, returning on the furniture and walls of the room as he did so. Maestretti made his exit in more orderly fashion a little later.

Wyman sat next his lawyer and looked, if possible, more sad than usual. His face had become drawn as the trial progressed, but the only sign of the tension he was experiencing was the abandonment of his toothpick which it has been his habit to chew nervously throughout the proceedings. Countryman protested to believe that the jury would return a verdict of "not guilty."

As minutes dragged on and no word came from the jury, the administration pamphlets who have been patrolling the corridors of the Hall of Justice since the trial came on became more restless. They claimed that they had "fixed ten merchants," and that the jury would disagree, 10 to 2.

ADMINISTRATION HOPPEFUL.

When 4:30 o'clock came and still no word from the jury, the friends of good government, who had been interested in the prosecution, began to fear that there would be a mistrial. They could see but one issue for the jury to determine—guilty or not guilty. There was no question of defense or penalty as in a murder case, and the long wait caused the prosecution to lose hope. The defense was making of more able testimony that was to be manufactured, and the representatives of the administration were becoming defiant and threatening in their remarks about those who had presumed to question their rights to stuff ballot-boxes and violate the election laws of the state.

At 4:45 o'clock the hall's bell con-
nected with the jury-room rang, and Deputy Sheriff Coyne quickly reported that the jury had arrived at a verdict.

and was ready to be called into court. At 5 o'clock the jury members were all in the box and had answered the roll call.

Members of the jury, have you arrived at a verdict? asked Clerk Martin, in the stereotyped form. "We have," replied Foreman Buckingham, as he handed up the following written verdict:

The people of the State of California vs. Charles Wyman: We, the jury, find Charles Wyman, the defendant in the above-mentioned cause, guilty of felony, to-wit: voting fraudulently at the primary election held in this city and county August 9, 1904.

GEORGE H. BUCKINGHAM, Foreman.

CRATIDIOUS VERDICT.

"Is that the verdict of you all?" asked the clerk.

"It is," came in chorus from the twelve jurors in the box.

Lawyer Countryman asked that the jury be polled, and in response to the question, "Is this your verdict?" each juror said "Yes."

Judge Lawlor set 10 A. M. next Saturday for passing sentence.

The judge expressed his appreciation of the careful attention the jurors had paid to the trial during the past two weeks, and particularly to those who had abstained from their business and worked a hardship upon them. Those who so desired were excused for the remainder of the term and others were granted leave of a few days or a week.

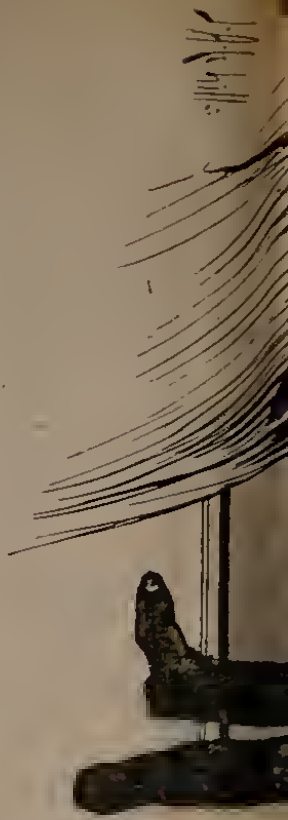
As the jury passed out Wyman sat alone and glum beside his lawyer, Mr. Wyman wept hysterically and upon fainting.

The administration coyotes that have haunted the courtroom for two weeks slunk out and away.

The trial of Adolph Stietens, another of the administration ballot-box stuffers, who is accused of voting the name of C. A. Green in the seventy-third primary precinct, has been set for to-morrow morning, but it is thought that a continuance for one week will be granted.

HERD DAVIS & CO.

Quick Clearance Sale



CHALLES WYMAN, who was convicted of a felony by a jury in 1910, yesterday asked Attorney Lewis F. Brinkton in the act of denouncing the defendant for fraudulent voting at the last primary election.

Charles Wymann was found guilty yesterday of voting fraudulently at the primary election held on August 9. It took the jury just an hour and forty-five minutes to settle on a verdict. Wymann boasted the reading of the tale with little show of emotion. His wife, who was sitting near him, burst into tears as Freeman George H. Ruckelshaus read the words that may send her husband to the penitentiary. Wymann stood straight ahead, apparently oblivious to everything around him. Judge Lawlor ordered Wymann's bail returned, and the brilliant student was taken to the County Jail. Sentence will be passed on him next Saturday afternoon at 10 o'clock.

SHALL NOT REVOLVE.

...for those people whose rights have been violated. It is the duty of the jury to stamp the felon's mark on the book of this man, who is guilty of perverting the purity of election."

For an hour and a half, Federal Attorney was on his feet, venting his indignation against the defendant's attitude of the defendant as a subject, and his denunciations were also directed against Massachusetts officials as election officers.

In the afternoon Judge Lawlor gave the instructions to the jury. All the law governing election and violation of election laws were read, and at 3:15 the jury retired.

CHAN CHEUNG
SUES JURORS

Sticks \$50,000 Damages From Those Who Took Him Captive and "Sweated" Him

Chan Cheung, whom the Grand Jury indicted for the murder of Tom Yick

will make the Federal courts in an effort to obtain redress for the detention by Foreman Andrews and E. J. Bowers of the police committee, who tried to force from him a statement of his connection with police corruption in Chicago. He yesterday filed suit in the Circuit Court against Thomas P. Anderson, Edward J. Bowers, Andrew M. Davis and William G. Stafford of the police committee of the Grand Jury. Home exiles, McHenry, the Trans-Siberian, and J. G. Carpenter, attorney of the committee, are the captives of this summer. He demands \$50,000 damages.

"That on December 29, the defendants unlawfully assaulted the plaintiff and severely injured him with violence, menace and great and direct compulsion, took from him his dwelling, lot and lot, and then moved to the Mills building, and then to other buildings on the same lot, and there, without any provocation, and against his personal liberty and kept him a prisoner without any probable cause, and without authority and against the wishes of about fifty house."

"That by reason of said acts of defendants, plaintiff has been greatly in-

through his credit, reputation, energy and business ability. His financial standing and bodily health, has been prevented from transacting his ordinary business and has been otherwise injured, all in the sum of \$60,000.

These attorneys are Bell & Stranahan, James H. Budd, Henry C. Dibble and Oliver Dibble.

District Attorney Ryington laughed when asked about the suit and said "I would 'never amount to anything.'"

MAY BE HEALTH
 BOARD MEMBER

Dr. Sidney Worth, Homoeopath, Appears to Be Reasonably Sure of Appointment

While no definite announcement was made yesterday of the appointment of a successor to Dr. Joseph Pevsler on the Board of Health, it is thought that Dr. Sidney Worth will be appointed to the place.

The selection of the new member of the Board of Health could have been made by Dr. James W. Ward, and it is reported that Ward is anxious to have Dr. Worth on his colleague. It was rumored last Mayor Scheraga will announce the appointment officially and this will be done either to-morrow or next Tuesday.

The proposed shifting of several city hospitals, an action of which approval was given by the Board of Health last year, has caused considerable comment among politicians and the public.

There seems to be some charter provisions in the U.S. Election Commission that are specifically appointed to the position of Secretary of the Election Commission. The charter makes Election Commission ineligible to hold any other office until one year after they are elected to the position.

ESSEX, Jan. 14.—The board of directors of the Irving Trust Co. has issued a statement denying the rumor that Joseph P. Kamp, an attorney, had been named to a 10 per cent. block of shares in the bank.

Jacob A. Ritz, earnest builder of American citizenship, famous for his great work in the slums of New York, and of high place in the modern world of reform, was the guest of the Com-mune with a dinner in the ball-room of the Palace Hotel last evening. There were 200 members of the club, men and women, to enjoy the few hours with this singular and distinguished visitor.

The decorations were pretty, the presence of women gave unusual charm to the banquet board, and there was warm cordiality throughout, for Jacob Rits was greeted with high honor on the afternoon and admiration of San Francisco folk since his recent advent by way of the lecture platform. Undoubtedly President Roosevelt's interest in the man has given him impetus in popular estimation, but the philanthropic worker has made good himself so far as the opinion of Californians is concerned.

Such was the forceful testimony at last night's gatherings. The 200 diners had heard his several lectures and become their highest esteem. They had learned of the sacrifices of the man

who for years and years suffered and labored with evils that menace good government. He had accomplished much, and in latest measure showed the way for reform.

The Commonwealth Club is interested in work for the public weal. It bailed Jacob Kula as one of its brothers, one pre-eminent among themselves for his achievements in their common aid of endeavor for the bettering of the land and its people. There were many and his pouring these sentiments, and the hearty noting of these hospitalities, was sounded on every hand for "one of America's most useful citizens."

PHASES HIS WORK.

President Jimmy D. Weissbrock and the attorney general, remarks said the Commonwealth Club had departed from for the evening from its usual sphere as a working body to pass a well-merited tribute to a self-appointed public servant, John Jacob Astor, he said, "has certainly would be gratified of the American people to see them now they are on themselves, and them now."

After that was read from Governor Fairbank's press release that he could not be pressing his request that he could not be pressing for "there was no one" he would "witness a horn I would rather sit down to dinner than Jacob A. Astor."

The president Weissbrock read the following statement from President Roosevelt:

"WASHINGTON, Jan. 13, 1905.

"H. W. Weissbrock, president of the Com-

moning with club men Francisco called. "I am glad to learn the Commonwealth job is paying this tribute to the public service of my friend, Jacob Hill, and I wish it was possible to send this good money to the poor people of the club and the support of the club, especially the kernel of honor, my heart-felt greetings."

"THEODORE ROOSEVELT."

"Roosevelt and Hill are a powerful team for civic good," added Winckles when the applause had subsided. He then proposed a toast to President Roosevelt, and the friends of Jacob Hill."

John McNaught was the first speaker and the hearty sentiment stirred by the telegram from Washington gave warm greeting to the toast, "Our President, President Roosevelt. The nation, etc."

HUNNY WINTERGATE WHO PREPARED THE LIGHT AND BAKED FOR LUCAS

"The Associated Charities" was the subject of a brief discourse by Rev. Charles R. Brown of Oakland. He had some interesting statements to make concerning the problems that confront the workers for charity. The important mental energy, lofty aspirations, high ideals, together with his unending efforts to urge his fellow men to greater, nobler endeavor was the chief characteristic of the great humanitarian at the head of the nation. These were honesty, integrity and indomitable courage for right and for justice to all, and the speaker and well thought out was the designation of Roosevelt as "the typical American."

David Starr Jordan paid a neat compliment to the guest of honor preliminary to his address on the subject of "Heredity and the Making of Human Life," in which address he alluded to the sermon of Jacob Vollenweider, pastor of the Episcopal Church of St. Nicholas, New York, in which Vollenweider, Jordan said that it had been generally recognized that the responsibility for degradation in character and physique was responsible in large measure for the "sinners" of the world. "Environmentality is the sin both," "Environmentality is alone responsible for changing of character and thank God for that."

HEREDITY NOT RESPONSIBLE.
But Jordan admitted that the unfavorable conditions of New York's slums tended to the undermining of character and that heredity was not alone responsible there.

three in the darkest room, was Dr. B's mother taking the longest of Riverside, he said: "The longer I know Dr. B., the better I like him. And nothing better can be said of a man than that. I dreamed and I planned in vain in my work in New York, but not until he came west to 'renew' my days ever retired. I have been a guest in your State for weeks now, and I will hold me to the motto as long as I live. I must leave my wife with me to this glorious State. She will have much to be grateful you, for she thinks it a wild and inhospitable country." "Am I My Brother's Keeper?" asked the speaker, and his answer was, "No."

THE



SAN FRANCISCO, SUNDAY, JANUARY 15, 1905

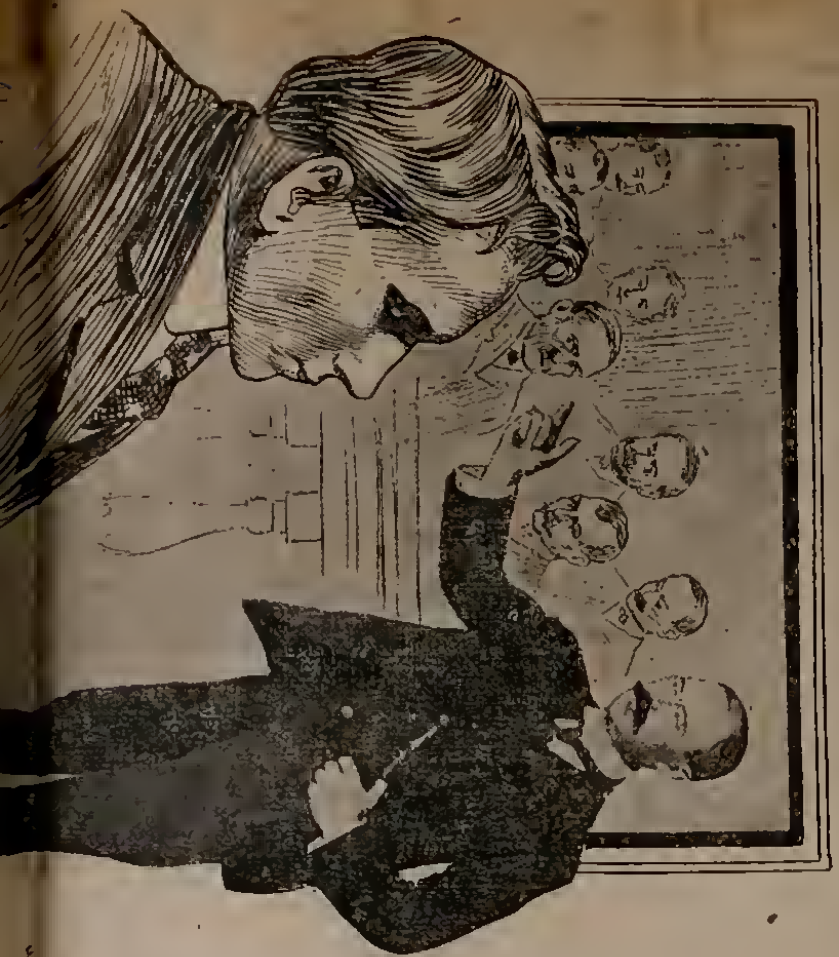
CATIA

JURORS FIND VERDICT AGAINST THE BARTENDER CHARGED WITH VOTING FRAUDULENTLY AND DECLARE WYMAN GUILTY

We, the jury, find Charles Wyman, the defendant at the bar, guilty of the crime of felony, to wit, fraudulently voting at a primary election as charged in the information.---Verdict returned by the jury in the ballot-stuffing case.

MAESTRETTI DENOUNCED
BY DISTRICT ATTORNEY

Says That Leader Should Be in State Prison



DISCOVERY OF FRAUD A DIFFICULT MATTER

Great Volume of Applications

Registrar Adams Says All Cannot Be Specially Checked Up.

Mayor Schmitz began his investigation yesterday morning of the charges against the Election Commissioners that they failed to observe the law in appointing precinct officers for the primaries held last August. The hearing was not concluded, the Mayor expressing a wish to go deeper into the matter, but the testimony of the members of the board and of Registrar Adams was taken. All denied knowledge of the disqualifications of several election officers who served in the recently-held bad Spanish primaries, where frauds were committed. Next Saturday at 11 o'clock was fixed as the time for resuming the hearing.

While not admitting the disaffection of the great laborers in question, the commissioner and Registrar pleaded that owing to the volume of work involved it was an impracticable task to guard against impetuous bills to fund legislation for these people who make legislation for the ordinary job of lawmaking and counting money. The course pursued in selecting and appointing the boards was therefore which has obtained for many years, and if there has been any change, the commissioners said, it has been added vigilance to protect the budget.

The changes filed with the Mayors were that the candidates were fully, knowingly, lawfully and conscientiously appointed. Joseph W. McLaughlin, Fred Handick, W. E. Whitely, J. W. Freeman, John Sweeney and W. H. Abraham all ran for the Elizabeth, N. J. Aldermans' position. In the final tally, only two were elected, Whitely and Handick. The other four were elected to the same office as Aldermen.

EXPLAINS HIS WORK
FOR THE POOR.

Prominent Men Honor Jacob Riis



LAWLOR SENDS WYMAN TO JAIL

Remands the Accused Stuffer to the Custody of the Sheriff—Defense Uses Day in Trying to Prove Alibi.

CHARLES WYMAN, the ballot-box stuffer, was ordered back into the custody of the Sheriff yesterday by Judge Lawlor. The accused has been at large on bail, but in view of the strong testimony against him that has been developed during the hearing and the approach of the close of the trial, the judge, while not expressing himself on the subject, probably thought that the defense against the election laws would be more secure in the County Jail than out on \$2500 bond.

The defense occupied the day in attempting to prove an alibi for the prisoner. It sought to show that he was not at the voting booth corner of Baker and Bush streets at 4:05 P. M., the time at which, according to the prosecution, he both wrote and voted the name of S. H. Mann.

The defense is apparently relying upon possession appointed by the administration, gamblers and other law-breakers who receive protection from holders of place by its favor, and others of that ilk, to secure the freedom of the criminal.

One of the principal alibi witnesses was "Tod" McDonald, a "sure-thing" gambler of State-wide notoriety, who called himself a "commission merchant," and told of his business of selling pools on horse races, being open daily at 401 Bush street. Testimony that will be called to the attention of the Grand Jury was frequent, and the defense abounded in pitiful petitory so transparent that it will undoubtedly act as a boomerang.

MORE TALK OF ATKINSON.

The name of Assemblyman Thomas J. Atkinson, about whom the defense is making such a demonstration of desiring to secure him as an alibi witness, was referred to at different times yesterday. This is regarded by the prosecution as the essence of buncombe, as Atkinson is a member of the Missouri-Administrators' group, and if he had any testimony that would clear his political companion, Wyman, he would have been on the spot before this.

The first witness of the day was Frank McDonald, better known as "Tod" McDonald, the gambler. He appeared for the defense in furtherance of the alibi plan.

McDonald said that he saw Wyman drive up to the booth in a buggy with a young man, Wyman got out and went into the booth, where he remained four or five minutes. He then came to the corner of Bush and Baker and asked officer Burns what time it was. The officer replied either that it was 3:30 or twenty minutes of 4 P. M., the witness did not know which. Wyman then jumped into the buggy and drove away. McDonald further testified that the defendant did not return to the booth that day.

The witness was cross-examined by District Attorney Byington. He reiterated his statement that Wyman left the polling place at Bush and Baker streets not later than 3:30 o'clock on the afternoon of the primary and did not return. Later McDonald modified this somewhat by saying that he was in the grocery for five or six minutes at different times after Wyman's visit, and was not in view of the booth all the time.

McDonald told of a conversation he held with J. J. Cassidy recently and said that the latter made the statement: "We are not after Wyman, but Rust and Mastreitt." He denied that he had told Cassidy that Wyman was there and there was no getting away from it.

William H. Burns, a policeman, next took a turn at the alibi wheel. He is another of the present administration policemen appointed last July. He was positive that he gave Wyman the time as "exactly 4:20" when the latter came to the corner of Bush and Baker streets, after having been in the voting booth for five or six minutes. Fairfax H. Wheeler was standing in the door of the booth at the time the defendant was inside.

On cross-examination the witness was unable to remember any one other than Wyman that asked him the time on the day of the primary. Wyman asked for the "exact time," and witness said it was twenty minutes of 4 o'clock. Later, Police man Burns remembered that a man named Stone—John Stone—had asked him the time. Did not know who Stone was, but presumed that he had gone to Los Angeles, for when he asked the time he said he was going in that city. Burns testified that he was a friend of both Wyman and Mastreitt.

Pullman John J. Doyle told of Special Policeman Doyle, saying that he had picked up a blank ballot and held it down again, the special asking if anything could be done by him for it.

FIXING THE TIME.

The time set by the prosecution for the fraudulent voting by Wyman is 4:05 P. M. The two next witnesses, although called by the defense, corroborated this. The number of the man's fraudulent entry on the roster was 114. Frank H. Driscoll of the United States Revenue service made his entry on line 11, or three before that containing the forgery. Driscoll

of Connelman, testified to Special Policeman Doyle asking him what could be done to a witness who testified, "I don't remember." The witness said that he told the inquiring special that nothing could be done to such a witness, for it could not be shown whether he was telling the truth or not.

THREE WYMAN ALIBI.

Garratt Byrne a lad of 12, living at 2533 Post street, was the next alibi witness. He testified that he had defined Wyman about the Thirty-ninth Assembly district all day of August 9th in a buggy. They were at the polling place corner of Bush and Baker streets between 3:30 and 3:45 in the afternoon. Wyman went into the booth and remained about five minutes, after which they went to the house and stood talking with some persons for about ten minutes. They then drove up Bush street and out to the Almshouse riding booth.

On cross-examination this witness said he drove the buggy directly in front of the polling place 2504 Bush street, while all preceding witnesses left the vehicle at the corner.

William H. Pood, another election officer who acted at the Bush and Baker streets polling place, gave most conflicting testimony. At one time saying that Wyman did not write and vote the name of S. H. Mann, and at another time stating that he did not know. He also testified both in respect to his having handed Wyman a ballot when the latter voted S. H. Mann. He had been recommended for election officer by Joseph Rebstock, who is himself under indictment for violations of the election laws.

TAKEN TO THE ALMHOUSE.

The defense next proceeded to get the defendant out to the Almshouse by the alibi route. George H. Langford, a friend and chum of Wyman for sixteen years, testified that he saw the defendant driving on Central avenue between 3:30 and 4 P. M. of election day. William E. Mulcahy, who had been placed in the Department of Electricity by Mastreitt, but who had known no permanent abode and had not engaged in work for some months past, met Wyman driving on the Almshouse road, near Lake Honda, at 1:15. Mulcahy had gone to the Almshouse to see what material he would need to run some telephone lines the next day. He happened, so he testified, to be walking in town just at the right time to meet the man seeking an alibi. The man who drove Mulcahy out to the Almshouse considerably left him to walk in so that he might meet Wyman.

W. J. Foster, an inspector of election at the Bush and Baker street booth, testified that he was a barber when not working in the Customhouse. He was sure that he had seen Wyman write his own name in the roster and vote at 3:45. Witness knew this because he went to dinner at 4 o'clock.

When placed under fire by Byington the witness turned out to be a product of Joe Rebstock, the administration manipulator and employer. Foster became entangled in his own statements, he testifying that he stood right over Wyman and saw him write his own name. When asked who voted next the witness said that F. H. Driscoll did. Now George Adler was the next voter, according to roster, and the prosecution claim that Wyman also voted that name fraudulently.

ASKED ABOUT ADLER.

Byington asked Foster: "Did not you see Wyman also write and vote the name of George Adler?"

The witness spared to avoid answering this question, and was aided by the lawyer for the defense who, in his custom, objected and sought to obstruct all questions asked by the prosecution.

It appeared from the testimony of this witness that when 5 o'clock arrived on the afternoon of the election he had closed the door of the booth and concluded the carnival of crime against the franchise of the electors of that precinct with the public excited, Steffens, the indicted alibi, was locked in to participate in the rail.

Foster claimed that he did not know whether Steffens was in the booth at that time, but the roster shows that he voted next to the last man.

"Do you not know that Steffens was in the booth and that you permitted him to vote the name of S. H. Mann before he voted his own name?" asked the District Attorney.

Local protests came from the lawyer for the defense, and Foster was permitted to evade answering the question on technical grounds.

WORKED IN BURN'S BUILDING.

Henry Hornbeck, who had also been placed in the Department of Electricity by Mastreitt, was called out by the defense to testify that he saw Mulcahy walking and Wyman driving on the road to the Almshouse. Hornbeck has not been working for some time, his last job being to run the elevator in the building on Grant avenue that was erected by Rust, and in which is located the Schmitz Central Club and the Crescent gambling

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the ultimate transfer to a p
yet to be found. Out of 11
transmission the Bank of Calif
surrendered the London and Sa
place. Bank a price of \$350,000
lot and building.

SOCIETY WILL HELP PHILANTHROPIC W Production of "The Liars" 1 Given as Benefit for Navi Club at Vallejo.

One of the most brilliant society
philanthropic affairs of the season
be the matinee performance of the
ry Arthur Jones' play, "The Liars,"
the Columbia Theater Thursday, Je
rry 21st. The production will be a
in aid of the Naval Club of Valle
which a number of prominent soci
women of this State are interested in.
The Naval Club should not a very l
sum from this benefit, at which will
appear in various roles of the brillia
comedy such well-known people as
J. Wilson Steele, Lloyd Rowlands, H. J.
Spencer, Thomas Eastland, Courten
Part, Royden Williamson, Miss Frances
Joffe, Mrs. Mark Gerale, Mrs. J. W.
con Steele, Miss Olga Atterton, Mrs. H.
M. Spencer and Eleanor Haber.
Rehearsals that are in progress prom
an unusually clever performance
"The Liars" has been secured for pro
sentation on this date by special ar
rangement with Charles Frohman.
Tickets will be on sale at the box office
of the Columbia Theater commencing
Tuesday, January 21st.

A California boy studying in Paris
has written a clever article on the ex
pulsion of the monks from France—
the monks who made the real Char
treuse—and whether connoisseurs or
foetotaler you will want to read it in
the "Sunday Chronicle."

He said: "I did not see Wyman vote, and
if I did, I don't remember." This
witness had told Fairfax H. Wheeler
that he did not see Wyman vote, be
cause he rode to his home in Wy
man's buggy while the latter was in

of Fisher and Bush are given at 1:15 P. M. The time at which according to the prosecution, he both drove and voted the name of S. H. Mann.

The defense is apparently relying upon policemen appointed by the administration, gamblers and other law-breakers who receive protection from the holders of place in the town, and others of that ilk, to secure the freedom of the criminal.

One of the principal alibi witnesses was "Tom" McDonald, a "sure-thing" gambler of considerable notoriety, who called himself a "communist" or "socialist," and told of his business of selling pools on horse races, being open daily at 401 Bush street. Testimony that he was called to the attention of the Grand Jury was frequent, and the defense abounded in proud profanity so transparent that it will undoubtedly act as a boomerang.

SOME TALK OF ATKINSON.

The name of Assemblyman Thomas J. Atkinson, about whom the defense is making such a demonstration of desiring to secure him as an alibi witness, was referred to at different times yesterday. This is regarded by the prosecution as the essence of the case, as Atkinson is a member of the Municipal Administration crew, and if he had any testimony that would clear his political companion, Wyman, he would have been on the spot before this.

The first witness of the day was Mark McDonald, better known as "Tom" McDonald, the gambler. He appeared for the defense to furtherance of the alibi plan.

McDonald said that he saw Wyman drive up to the booth in a buggy with a young man, Wyman got out and went into the booth, where he remained four or five minutes. He then came to the corner of Bush and Baker and asked officer Hines what time it was. The officer replied either that it was 3:30 or twenty minutes of 4 P. M., the witness did not know which. Wyman then jumped into the buggy and drove away. McDonald further testified that the defendant did not return to the booth that day.

The witness was cross-examined by Assistant Attorney Blington. He reiterated his statement that Wyman left the polling-place at Bush and Baker streets not later than 3:40 o'clock on the afternoon of the primary and did not return. Later McDonald modified this somewhat by saying that he was in the grocery for five or six minutes at different times after Wyman's visit, and was not in view at the booth all the time. McDonald told of a conversation he held with J. J. Cassidy recently and said that the latter made the statement, "We are not Alibi Wyman, but Rust and Macirell." He denied that he had told Cassidy that Wyman was there and there was no getting away from it.

William H. Burns, a policeman, next took a turn at the alibi wheel. He is another of the present administration policemen appointed last July. He was positive that he saw Wyman the time at "about 1:20" when the latter came to the corner of Bush and Baker streets, after having been in the voting booth for five or six minutes. Fairfax H. Wheeler was standing in the door of the booth at the time the defendant was inside.

On cross-examination the witness was unable to remember any one other than Wyman that asked him the time on the day of the primary. Wyman asked for the "exact time," and witness said it was twenty minutes of 4 o'clock. Later, Policeman Burns remembered that a man named Stone—John Stone—had asked him the time. Did not know who Stone was, but presumed that he had gone to Los Angeles, for when he asked the time he said he was going to that city. Burns testified that he was a friend of both Wyman and Macirell.

Policeman John J. Doyle told of Special Policeman Doyle, saying that he had picked up a blank ballot and laid it down again, the special asking if anything could be done to him for it.

FIXING THE TIME.

The time set by the prosecution for the fraudulent voting by Wyman is 4:05 P. M. The two next witnesses, although called by the defense, corroborated this. The number of the man's fraudulent entry on the roster was 174. Frank H. Delacoll, of the United States Revenue service made his entry on line 171, or three before that containing the forgery. Delacoll said that he voted between 3 and 4 o'clock.

James H. Brennan, a teamster of 1403 Bush street, entered his name on line 174 of the roster, or following the Mann entry. He testified that he voted about three-quarters of an hour before the polls closed, or at 4:15 P. M. John Gurislool, a graver at 1622 Baker street, made an entry on line 173 of the roster. He testified that he voted at about 4 P. M., or it might have been a little after.

William Burke, of whom Fairfax H. Wheeler inquired on the day of the primary, "Who is that man with the long blue overcoat?" to which Burke replied, "That is Macirell's bartender," proved to be the possessor of a doubtful memory when called as a witness for the defense. Burke denied that he had such a conversation with Wheeler, or that he knew Wyman.

When shown the precinct roster, Burke was unable to identify the entry he made in that book before he voted. The entry of his defective memory in this connection is said to be that he wanted to vote in Democratic ticket, but the Macirell gang told him of him in the booth and pulled and hauled the old man about in their efforts to make him vote the administration ticket to such an extent that even an expert could not decipher his scribbling. The gang made such a "rough house" of it that even the administration policeman on duty at the time was forced to clear the booth.

John C. Edwards, a law near the

house and stood talking with some persons for about ten minutes. They then drove up Bush street and out to the Almshouse voting booth.

In cross-examination this witness said he drove the buggy directly in front of the polling place 2505 Bush street, while all preceding witnesses left the vehicle at the corner.

William H. Fidd, another election officer who acted at the Bush and Baker streets polling place, gave most conflicting testimony, at one time saying that Wyman did not vote and vote the name of S. H. Mann, and at another time stating that he did not know. He also testified both as a witness to his having handed Wyman a ballot when the latter voted S. H. Mann. He had been recommended for election officer by Joseph Rebstock, who is himself under indictment for violations of the election laws.

TAKEN TO THE ALMSHOUSE.

The defense next proceeded to get the defendant out to the Almshouse by the alibi route. George H. Langford, a friend and chum of Wyman for sixteen years, testified that he saw the defendant driving on Central avenue between 3:30 and 4 P. M. of election day. William E. Mulcahy, who had been placed in the Department of Electricity by Macirell, but who had known no permanent abode and had not engaged in work for some months past, met Wyman driving on the Almshouse road, near Lake Honda, at 4:15. Mulcahy had gone to the Almshouse to see what material he would need to run some telephone lines the next day. He happened, as he testified, to be walking in 1035 just at the right time to meet the man seeking an alibi. The man who drove Mulcahy out to the Almshouse considerably left him to walk in so that he might meet Wyman.

W. J. Foster, an inspector of election at the Bush and Baker street booth, testified that he was a barber when not working in the polling-house. He was sure that he had seen Wyman write his own name in the roster and vote at 3:45. Witness knew this because he went to dinner at 4 o'clock.

When placed under fire by Blington the witness turned out to be a product of Joe Rebstock, the administration manipulator and employer. Foster became entangled in his own statements, he testifying that he stood right over Wyman and saw him write his own name. When asked who voted next the witness said that F. H. Driscoll did. Now George Adler was the next voter, according to roster, and the prosecution claim that Wyman also voted that name fraudulently.

ASKED ABOUT ADLER.

Blington asked Foster: "Did not you see Wyman also write and vote the name of George Adler?"

The witness spared to avoid answering this question, and was aided by the lawyer for the defense who, as is his custom, objected and sought to obstruct all questions asked by the prosecution.

It appeared from the testimony of this witness that when 5 o'clock arrived in the afternoon of the election he had closed the door of the booth and concluded the carnival of crime against the franchise of the electors of that precinct with the public excluded. Steffens, the indicted stuffer, was locked in to participate in the raid.

Foster claimed that he did not know whether Steffens was in the booth at that time, but the roster shows that he voted next to the last man.

"Do you not know that Steffens was in the booth and that you permitted him to vote the name of C. A. Cow before he voted his own name?" asked the District Attorney.

Lord protests came from the lawyer for the defense, and Foster was permitted to evade answering the question on technical grounds.

WORKED IN RUEF'S BUILDING.

Henry Hornbeck, who had also been placed in the Department of Electricity by Macirell, was trotted out by the defense to testify that he saw Mulcahy walking and Wyman driving on the road to the Almshouse. Hornbeck has not been working for some time, his last job being to run the elevator in the building on Grant avenue that was erected by Ruef, and in which is located the Schmalz Central Club and the Crescent gambling club, both of which are under the sheltering wing of the administration.

A short time, an election officer appointed to the Seventy-third precinct by Joe Rebstock as a Democrat, and who voted the Macirell ticket, was trotted. The day before he testified that he did not know whether Wyman wrote and voted the name Mann or not. After twenty-four hours' coaching he came back with the statement that he saw Wyman vote his own name and that he did not vote the name of Mann. On cross-examination this witness shifted backward and forward, at one time saying that he didn't know and at another that he did.

Patrick McAuliffe, an electrician in the gas house, was another alibi witness. He went to Macirell's saloon to find his friend, and from there wandered out to the Almshouse road, where he discovered his friend and dumped him.

L. S. Carson was another of Joe Rebstock's election officers who was appointed to represent one party and voted the ticket of the other. He swore that Wyman voted but once and that he did not vote Mann. It appeared that Carson had entered the name of S. H. Mann in the poll that was H. S. Mann, and afterwards instructed it. He said that he supposed some one voted at that time, but he could not remember who did.

DID NOT SEE WYMAN VOTE.

Charles E. Merrill gave his allegiance to the Steffens squad in the district. He is a car conductor, and

throughout and knew a position to know the two Institute Hellman of the Bank, who is not partially closed to that its details have the directors of his.

According to "street" it was the chase of the Wells-Nevada National in his for the Bank to cure the services a mer S. Klug, who I at the heat of the bears the name of company. Later, Florida has been re directions for business were glad to accept strength of suit Klug, especially a powerful institution leaving was about to hands. Under these only reasonable in a considerable number of ing in and doing but Wells-Fargo Bank mit president to the other had secured his service.

TO ERECT BIG 1

According to the "street" the recent San Bank of California at 11, San Francisco Bank for other equally interesting developments of the form it is understood that the Florida intends soon to modern structure on the now occupied by its present and there are rumors of with the Newhall, who immediately adjoining the Bank of California on the west, with a view to end site.

As soon as these arrangements completed, it is said, of California will move to lees of the London and San Bank, and will occupy their own new building is complete while, presumably, the 111 London and San Francisco present premises will be put hands of a trustee in order to the ultimate transfer to a party to be found. Out of the transaction the Bank of California guaranteed the London and Sisco Bank a piece of \$350,000 lot and building.

SOCIETY WILL HELP PHILANTHROPIC W

Production of "The Liars" 1 Given as Benefit for Naval Club at Vallejo.

One of the most brilliant society philanthropic affairs of the season be the inalter performance of the 1 by Arthur Jones' play, "The Liars," the Columbia Theater Thursday, January 25th. The production will be a best in aid of the Naval Club of Vallejo which a number of prominent women of this State are interested in.

The Naval Club should not a very sum from this benefit, at which will appear in various roles of the brilliant comedy such well-known people as I. J. Wilson Shields, Lloyd Lowndes, H. J. Spencer, Thomas Redland, Louren Ford, Royden Williamson, Miss Francis Joffite, Mrs. Mark Gerstle, Mrs. J. Wilson Shields, Miss Olga Albertson, Mrs. H. M. Spence and Elvaine Haber.

Rehearsals that are in progress promise an unusually clever performance. "The Liars" has been secured for presentation on this date by special arrangement with Charles Frohman.

Tickets will be in sale at the box office of the Columbia Theater commencing Tuesday, January 24th.

A California boy studying in Paris has written a clever article on the expulsion of the monks from France—the monks who made the real Chartrouze—and whether connoisseur or lecturer you will want to read it in the "Sunday Chronicle."

ON THE

said: "I did not see Wyman vote, and if I did, I don't remember." This witness had told Fairfax H. Wheeler that he did not see Wyman vote, because he rode to his home in Wyman's buggy while the latter was in the booth voting. Merrill testified that he went to see Steffens in the County Jail last Thursday, and the ballot-box stuffer had told him that it was he, Steffens, buggy that he rode in, and not Wyman's.

This witness entered the name of Wyman in the poll list as having voted, the entry being in his own handwriting, so he testified, but he stated that he was not present when Wyman voted. Merrill testified further that he made no application for an appointment as an election officer and that Ballot-box stuffer Steffens attended in that. Merrill said that he was appointed as a Democrat, but voted the Republican ticket.

Much of this testimony was given at a night session of court held by Judge Lunt. At the afternoon adjournment the Judge had all the witnesses for the defense lined up in court for notice to attend the night session. The array much resembled a delivery from the City Prison after a hard holiday. It was suggested that out of the bunch anything could be gotten from an alibi man's slaughter.

The trial will be resumed this morning. The defense stated that they only remaining witnesses are Frank J. Symmes, president of the Macirell's Association, and Assemblyman Atkinson. Judge Lunt expressed a desire to have the case go to the July to-night.

Wyman spent last night in jail.

Your persistent, annoying cough will disappear if you use Thos. Chas. Ede.

WYMAN IS DECLARED TO BE GUILTY

*News
Jan 11 - 1905*

VOTED OTHER NAMES

A Handwriting Expert Compares Wyman's Signatures

The grand jury will have its hands full in investigating the new phases of the election fraud that were committed at the last primary election.

Handwriting Expert Kytka has been at work for some time comparing the signatures found on the election rolls of that election and in the cases of accused persons. Startling revelations have been made, but it is not likely that any indictments will be returned until the present cases are disposed of. Chas. Wyman is now on trial before Judge Lawlor for voting the name of S. H. Mann. Several other names in that precinct of citizens who were supposed to have voted are declared by the expert to correspond exactly with Wyman's handwriting.

As to whether more disclosures will be made the future will show. In view of the fact that such important evidence has been discovered all the signatures in the districts in which frauds are said to have been practiced will be closely examined.

*Post
Jan 11. 1905*

PEOPLE'S CASE NEARLY ENDED

Prosecution in Wyman Case Puts a Handwriting Expert on the Stand.

The testimony of the prosecution in the case of Charles Wyman, charged with voting the name of S. H. Mann at the last primary election, was practically finished this morning. Thomas Kytka, the hand-writing expert, who testified yesterday was cross-examined by Attorney Countryman this morning. Mostly formal testimony has yet to be given and the case for the people will then be rested.

Attorney Countryman, who represents the defendant, asked the court to acquit Wyman on the ground that he is accused of a crime not in the statutes.

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W*



CHARLES WYMAN, WHO HAS BEEN FOUND GUILTY OF FRAUDULENTLY VOTING

JURY'S VERDICT IN THE ELECTION FRAUD CASE

First Conviction for Fraudulently Voting in San Francisco in Many Years Is to Be Carried to the Supreme Court.

Charles Wyman was declared guilty of fraudulently voting at a primary election in this city on August 9, 1904, by a jury in Judge Lawlor's court yesterday afternoon. The twelve chosen men deliberated on the merits of the case for nearly two hours, and then rendered a verdict which, unless there is intervention from a higher tribunal, will send the accused man to a felon's cell in the State penitentiary. Three ballots were taken. On the first two two of the jurors did not vote. The other ten voted guilty.

Mrs. Wyman, the wife of the prisoner, who was bravely at the defendant's side all through the trial, was seated behind the accused man, and as the fateful words that pronounced her husband guilty was spoken her courage failed her and the nervous tension under which she had been laboring for weeks gave way. She broke down completely and her sobs were heard throughout the courtroom. Her husband, seeing her distress, left his attorney and attempted to comfort her as best he could.

VERDICT IS REACHED

Shortly before midnight when it was heard on the door of the jury room. Bailiff Taylor answered the summons and then announced that a verdict had been reached. Judge Lawlor entered the courtroom from his chambers and all the attorneys and spectators rushed to their seats. The scene of the trial was a drama had been and the audience was awaiting the entrance of the jury. The door of the jury room was unlocked, and the twelve men marched down the aisle to the jury box. There was a deathlike silence, and then Clerk Martin read the names of the jurors. Each answered the roll in a steady voice, and then they were asked:

"Have you agreed on a verdict?"
"We have," answered the foreman.
"What is your verdict," he was asked.
"We, the jurors, find the defendant, Charles Wyman, guilty," read the foreman, and then came the oath of Mrs. Wyman. The great trial was over and the accused had been declared a criminal.



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"What is your verdict," he was asked.

"We, the jurors and the defendant, Charles Wyman, guilty," read the foreman, and then came the sobs of Mrs. Wyman. The great trial was over and her husband had been declared a criminal.

The jury was composed as follows:

Carl V. Helgaard of 1522 Polk street, Peter Monahan of 124 Austin street, Thomas Johnson of 125 Ellis street, Edward F. Wainbold of 722 Lexington street, John H. Brown of 801 Shattuck street, Alfred P. Holden of 2148 Union street, James P. Hendon of 200 Sacramento street, Edgar W. Hendon of 200 Sacramento street, Ralph Brinkley of 1200 Market street, Thomas Grant of 1000 Vallejo street, George B. Macdonald, James and Birch streets.

NAMES

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Perk
Jun 11. 7905

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W
Jun 15

Chronicle Jan 10 - 1905

TAKING EVIDENCE IN WYMAN CASE

THE fact that a primary election was held in this city on August 9th last has been established by the prosecution after nearly a week of obstruction tactics on the part of the defense in the case of Charles Wyman charged with fraudulent voting. The taking of direct testimony began yesterday with Fairfax Wheelan on the stand and testifying positively to having watched Wyman cast the fraudulent vote.

Prosecution Begins the Introduction of Testimony Relating to the Facts as Alleged in the Complaint.

THE trial of Charles Wyman, charged with felony in having fraudulently voted the name of S. H. Mann at the primary election of August 9, 1904, opened its second week before Superior Judge Lawlor and a jury yesterday. After a week devoted to the introduction of documentary proof that a primary was held in the case were reached yesterday. Fairfax H. Wheelan was the principal witness and told of the copying by Wyman of the name "S. H. Mann" from a precinct register and his voting under that name. The defense is setting up that the whole proceeding is one of far-fetched politics and that the prosecution is but an attempt to send Wyman to jail so that the United Independent Republicans of the Thirty-ninth Assembly district may gain control in that subdivision.

The stuffer atmosphere was somewhat relieved yesterday by a report that Adolph Steffens, the fireman who is charged with having voted the name of Charles A. Allen in the Seventy-third primary precinct, will plead guilty and possibly turn State evidence. Steffens' case was set for trial on next Thursday. It is his intention to have it follow that of Wyman. Steffens has been threatened by the administration, and particularly by the MacCrellish gang, and it is said that he feels this most keenly. While the administration is working night and day to clear Wyman, and even obstructing the prosecution in its efforts to secure documentary evidence, it has shown a disposition to contribute evidence against Steffens, evidently with the purpose of making him the scapegoat of the wholesale fraudulent voting at the August primary. Should Steffens become a witness for the people he would undoubtedly lift the lid off a large barrel of administration offenses in connection with the recent elections.

MAESTRETTI TAKES PART.

Fairfax H. Wheelan, the principal complaining witness, was called yesterday afternoon and his direct examination conducted by District Attorney Byington. For the first time during the trial the jury "sat up and took notice." Even Maestretti took a more active part, frequently advising lawyer Countriman in the conduct of the cross-examination for the defense.

Wheelan told that on August 9, 1904, he was at the polling place of the Seventy-third primary precinct, 2603 Bush street, near Baker. He saw the defendant, Charles Wyman, in the booth at about 4 P. M. Wyman was seated at the table. The witness recalled the names of five election officers who were present at that time and said that Maestretti, the judge, was not present. Wheelan next told of Wyman copying the name of Mann out of the precinct register into the voter's ticket.

"What did Wyman have in his possession?"

"He had a roster of voters on the table before him."

"What was he doing with the roster?"

"He was copying into it a name from the index of voters."

Wheelan's attention was attracted to the following entry made in the roster: "S. H. Mann, 2607 1/2 Post street, Rep."

By whom was this handwriting made?"

"By Charles Wyman."

"The defendant in this case?"

"Yes."

Wheelan further testified that this entry was made in the roster by Wyman while the witness was standing in the doorway of the booth at a distance of three or four feet. He saw Wyman with the index before him and his arm reaching upon the roster, deliberately copying the printed name and address. He thought it strange that a man should not know his own name and had to copy it.

Wheelan here illustrated Wyman's position while voting. Subsequently he showed the relative positions of Wyman and himself, District Attorney Byington sitting at the table. The voting booth was a small back room of a grocery, its dimensions being about ten by twelve feet.

DEFENSE TAKES A WALK.

The defense then took a walk.

ballot and deposited it in the box, was made to stand up and was identified by Wheelan, who said, "That is the man."

IDENTIFIES WYMAN.

Wheelan also fully identified Wyman as the man who made the fraudulent entry in the roster and cast the ballot.

The cross-examination of Wheelan by Countriman was mostly on the line of politics. The attorney claimed that this was not a legitimate prosecution, but a persecution having for its purpose the gaining of political control of the Thirty-ninth Assembly district. The Merchants' Association was placed on trial for having undertaken to purify politics, and the defense sought to make it appear that the real offender was that association, which had contributed special counsel for the prosecution, and not the ballot-stuffer himself.

Wheelan said that he was born in San Francisco in 1856, and his father was Peter Wheelan. He went to the polls of the Seventy-third primary precinct on the morning of August 9th, in the interest of the United Independent Republican Club of the Thirty-ninth district, of which he was a member, and in the interest of good citizenship.

"What do you mean by good citizenship?" asked Countriman, who is the president of the MacCrellish Club in the district.

"I mean in opposition to Mr. Ruff, as matters now stand. Then I make it a point to go to all primaries and work for what I conceive to be the best thing."

Reference was made by Wheelan to Maestretti as the boss of the Thirty-ninth. Countriman wished to know what a "boss" was. Wheelan said that a boss might be written on the subject. A district boss was a man who sought to elect delegates to conventions who were under his control, sending only those he can use. The boss also parcels out the leaves and likes of patronage among his lieutenants.

Wheelan was closely questioned as to J. J. Cassidy, Pedlar and other members of his club. Countriman asked if a circular had not been issued during the last campaign by the Roosevelt Club of the Thirty-ninth district charging Cassidy with being the jury fixer of the United Railroads. Wheelan replied that he knew of no such charge. The witness said that he did not know of any relation between Maestretti and Wyman until after the fraudulent voting by the latter, when he was told the defendant was Maestretti's bartender.

WARD REWARDED AN IDLENESS

The Merchants' Association was the next subject of inquiry by the defense. Countriman wanted to know how much they had contributed to contribute to the prosecution of Wyman. Wheelan said that he believed the association had agreed to pay the two special attorneys \$100 each, and that Theodore Kytko, the handwriting expert, had been paid \$100. There might have been some payments to Detective Miles J. Holger. The speech of President Frank J. Symmes at the banquet of the Merchants' Association was adverted to, and the Merchants' Association treated generally as though it was guilty of a felony in having sought to have justice meted out to ballot-box stuffers.

"Why did you not challenge Wyman at the time he voted?" was one of Countriman's questions.

"Because I regarded an election board that would permit a man to copy a name from an index and vote it a pretty hopeless board to appeal to."

Wheelan's cross-examination had not been completed when an adjournment was taken.

John J. Quinn, the lawyer and associate of Thomas D. Jordan, chairman of the Republican County Convention, identified the signature of the letter to an affidavit attached to a call for the primary of August 9, 1904.

IDENTIFY GUSTIN.

Alfred Lilienfeld, foreman of a recent Grand Jury, identified a roster and some affidavits of registration that had been in the possession of that body during its investigation of the election frauds committed in the Seventy-third primary precinct of the Thirty-ninth district. Lilienfeld

Jan 11 - 1905

ISCO CALL, WEDNESDAY.

COILS TIGHTEN AROUND WYMAN

Testimony of Expert Kytko
Is Strong Blow to Case
of the Alleged Stuffer

SIGNATURE IS DENIED

S. H. Mann Declares That He
Did Not Vote at Elec-
tion Held on August 9

The strongest testimony yet submitted against Charles Wyman, accused of voting fraudulently, was presented yesterday in Judge Lawlor's court by Theodore Kytko, handwriting expert. Kytko declared in a positive tone that the name of S. H. Mann on the roster of the Seventy-third Precinct of the Thirty-ninth District was in the handwriting of the defendant, Charles Wyman.

When the prosecuting attorney asked the question, "Did the same person who wrote this affidavit write S. H. Mann, 2607 1/2 Post street," Wyman craned forward in his seat and a hush fell over the courtroom. "Yes, sir," replied Kytko, decidedly. Wyman drooped his head and paled slightly. The strongest link of the prosecution had reached home.

The expert started to show the points from which he drew his conclusions by means of a blackboard, but darkness intervened. He drew a fac simile of the W in the ordinary Wyman signature on the blackboard and compared it with the M in Mann.

"The initial strokes in both letters are identical," declared Kytko. "The M in Mann is the characteristic Wyman W with a final stroke."

"See," he exclaimed, dramatically, "I erase the final stroke and we have the Wyman W." The roster containing the alleged signature of S. H. Mann and examples of Wyman's handwriting were passed to the jurors.

S. H. Mann took the stand early in the afternoon and declared that he did not enter his name in the roster of the Seventy-third Precinct on August 9. In the cross-examination Mann admitted that he had been employed by Fairfax Wheelan subsequent to the primary election. Attorney Countriman offered as evidence a receipt for \$3 obtained from Wheelan and bearing Mann's signature.

"Why did you hire this man?" was asked Fairfax Wheelan.

"I wanted to make sure that he would not be captured by the defense," replied Wheelan. "Besides, I wanted to get an authentic example of his handwriting."

"At the time you hired him did you speak to him about the election?"

"I did not," replied Wheelan, positively.

"Did you ever see him before August 9?" inquired Countriman.

"I did not," was the answer.

Fairfax Wheelan's son was on the stand in the morning and substantiated the testimony his father gave on the previous day. Sheriff Policeman Joseph Doyle said that he saw Wyman vote on the afternoon of August 9, but did not know whether he voted in his own name or used the name of S. H. Mann.

A. H. Goehlen, the ballot clerk of the Seventy-third Precinct, declared that ballot No. 31,325 had been voted but said that he did not know who voted it. During the examination of this witness Attorney Hoamer became impatient at Countriman's frequent objections and displayed some temper. The case will be resumed at 9:30 a. m. today, when Kytko will illustrate on the blackboard why he believes Wyman wrote the name of S. H. Mann.

THE trial of Charles Wyman, charged with felony in having fraudulently voted the name of S. H. Mann at the primary election of August 9, 1904, opened its second week before Superior Judge Luther and a jury yesterday. After a week devoted to the introduction of documentary proof that a pollman was held the facts in the case were reached yesterday. Fairfax H. Wheelan was the principal witness and told of the copying by Wyman of the name "S. H. Mann" from a pollman register and his taking under that name. The defense is setting up that the whole proceeding is a time of factional politics and that the prosecution is but an attempt to send Wyman to jail so that the United Independent Republicans of the Thirty-ninth Assembly district may gain control in that subdivision.

The staffer throughout was somewhat charged by a report that Adolph Steffen, the German who is charged with having used the name of Charles S. Steffen in the Seventy-third primary precinct, will plead guilty and possibly turn State's evidence. Steffen's case was set for trial on next Thursday. It being the intention to have it follow that of Wyman. Steffen has been abandoned by the administration, and particularly by the Maestrelli gang, and it is said that he took this step last evening. While the administration is working night and day to clear Wyman, and even obstructing the process in its efforts to secure documentary evidence, it has shown a disposition to contribute evidence against Steffen, evidently with the purpose of making him the scapegoat of the wholesale fraudulent voting at the August primary. Should Steffen become a witness for the people he would undoubtedly lift the lid off a large kettleful of administration offenses in connection with the recent elections.

MAESTRELLI TAKES PART.

Fairfax H. Wheelan, the principal complaining witness, was called yesterday afternoon and his direct examination conducted by District Attorney Brimmon. For the first time during the trial the jury "sat up and took notice." Elton Maestrelli took a more active part, frequently advising Lawyer Countrymen in the conduct of the cross-examination for the defense.

Wheelan told that on August 9, 1904, he was at the polling place of the Seventy-third primary precinct, 2505 Bush street, near Baker. He saw the defendant, Charles Wyman, in the booth at about 4 P. M. Wyman was seated at the table. The witness recalled the names of five election officers who were present at that time and said that Merrill, the judge, was not present. Wheelan next told of Wyman copying the name of Mann out of the pollman register into the ballot.

"What did Wyman have in his possession?"

"He had a roster of voters on the table before him."

"What was he doing with the roster?"

"He was copying into it a name from the index of voters."

Wheelan's attention was attracted to the following entry made in the roster: "S. H. Mann, 2605 B. Post street, Rep."

"By whom was this handwriting made?"

"By Charles Wyman."

"The defendant in this case?"

"Yes."

Wheelan further testified that this entry was made in the roster by Wyman while the witness was standing in the doorway of the booth at a distance of three or four feet. He saw Wyman with the index before him and his pen resting upon the roster, deliberately copy the printed name and address. He thought it strange that a man should not know his own name and had to copy it.

Wheelan here illustrated Wyman's position while voting. Subsequently he showed the relative positions of Wyman and himself, District Attorney Brimmon sitting at the table. The voting booth was a small back room of a grocery store, the dimensions being about ten by twelve feet.

RECEIVES A BALLOT.

The witness resumed that after Wyman finished voting he received a Republic ballot and retired into one of the stalls used by voters for marking their ballots. He received the ballot from M. Padd, the ballot clerk. The number of the ballot was 31928. Wheelan made a note of this in his memorandum book at the time Wyman finished in the stall about a minute and came out with his ballot folded and handed it to Brimmon, who took off the envelope, placed the ballot in the box and said "Good." Wyman gave the name "Mann" when he handed the ballot to Brimmon. Wyman left the booth and walked a few steps toward Baker street, when he stopped and entered into a conversation with Joseph Doyle. When he left the booth Wheelan looked at his watch and the time was 1:15 o'clock. The witness also made a note of this time in his book.

The memorandum book that has cost such an important figure in this case was handed to the witness, who proceeded to look for the entries.

At first he was unable to find them and remarked: "I think the page has been removed since I left it with Judge Brimmon."

There were various had exchanged in the courtroom, but neither the judge nor the lawyers spoke in the interest of surprise that followed, the silence being broken by Wheelan, who exclaimed:

"No, I take it back. Here it is."

The witness took the book, which was placed in evidence. He then stated that he had looked at the index of the election officers, Joseph Doyle was in the booth part of the time Wyman was voting at the table and Edgar C. Hall, also seen, was there all the time.

Brimmon, who took the fraudulent

ballot and deposited it in the box, was made to stand up and was identified by Wheelan, who said, "That is the man."

IDENTIFIES WYMAN.

Wheelan also fully identified Wyman as the man who made the fraudulent entry in the roster and cast the ballot.

The cross-examination of Wheelan by Countrymen was mostly on the line of politics. The attorney claimed that this was not a legitimate prosecution, but a persecution having for its purpose the gaining of political control of the Thirty-ninth Assembly district. The Merchants' Association was placed on trial for having undertaken to purify politics, and the defense sought to make it appear that the real offender was that association, which had contributed special counsel for the prosecution, and not the ballot-box stuffer himself.

Wheelan said that he was born in San Francisco in 1858, and his father was Peter Wheelan. He went to the polls at the Seventy-third primary precinct on the morning of August 9th, in the interest of the United Independent Republican Club of the Thirty-ninth district, of which he was a member, and in the interest of good citizenship.

"What do you mean by good citizenship?" sneered Countrymen, who is the president of the Maestrelli Club in the district.

"I mean in opposition to Mr. Roosevelt's hour glass. Then I make it a point to go to all primaries and work for what I conceive to be the best thing."

Reference was made by Wheelan to Maestrelli as the boss of the Thirty-ninth. Countrymen wished to know what a "boss" was. Wheelan said that a boss might be written on the subject. A district boss was a man who sought to elect delegates to conventions who were under his control, sending only those he saw use. The boss also parcels out the leaves and fishes of patronage among his lieutenants.

Wheelan was closely questioned as to J. J. Cassidy, Peckler and other members of his club. Countrymen asked if a circular had not been issued during the last campaign by the Republican Club of the Thirty-ninth district charging Cassidy with being the jury fixer of the United Railroads. Wheelan replied that he knew of no such charge. The witness said that he did not know of any relation between Maestrelli and Wyman until after the fraudulent voting by the latter, when he was told the defendant was Maestrelli's bartender.

HEARD REGARDED AS IMPECCABLE.

The Merchants' Association was the next subject of inquiry by the defense. Countrymen wanted to know how much they had contributed to contribute in the prosecution of Wyman. Wheelan said that he believed the association had agreed to pay the two special attorneys \$500 each, and that Theodore Kytha, the handwriting expert, had been paid \$100. There might have been some payments to Detective Mills J. Holger. The speech of President Frank J. Symmes at the banquet of the Merchants' Association was admitted to, and the Merchants' Association treated generally as though it was guilty of a felony in having sought to have justice voted out to ballot-box stuffers.

"Why did you not challenge Wyman at the time he voted?" was one of Countrymen's questions.

"Because I regarded an election board that would permit a man to copy a name from an index and vote it a pretty hopeless board to appeal to."

Wheelan's cross-examination had not been completed when an adjournment was taken.

John J. Quinn, the lawyer and associate of Thomas H. Brimmon, chairman of the Republican County Committee, identified the signature of the latter in an affidavit attached to a call for the primary of August 9, 1904.

IDENTIFY HOSTER.

Alfred Lillienfeld, foreman of a recent Grand Jury, identified a roster and some affidavits of registration that had been in the possession of that body during its investigation of the election frauds committed in the Seventy-third primary precinct of the Thirty-ninth district. Lillienfeld testified that the roster was in his possession until he gave it to Police Judge Cabaniss in court, with the exception of about five minutes. This brief space was while the roster was being photographed and during that time Grand Jurors Otto Daughblat and Milton H. Reberg stood guard over it. Daughblat gave similar testimony. Deputy Register of Voters Joseph N. Starnad was recalled and gave additional testimony in respect to his taking of Wyman's affidavit of registration.

Police Judge George H. Cabaniss identified the poll list, the roster and other paraphernalia of the primary in the Thirty-ninth district, used as evidence during the preliminary hearing of the Wyman case in his court. He also identified Fairfax Wheelan's memorandum book in which that complaining witness had noted the details of Wyman's fraudulent voting.

Charles E. Merrill, who was judge of election in the Seventy-third primary precinct, was an unwilling witness. While Merrill had affixed his signature to both the poll and tally list and the envelope in which they had been returned to the Registrar of Voters, he said that he "supposed" those papers when they were shown him were the same he had signed. The defense undertook to get this witness to testify that he did not see Wyman vote at all on August 9th, but the judge insisted on his oath.

At 3:30 P. M. Lawyer Countrymen asked for an adjournment on the ground that he was tired, Judge Brimmon implied of the fact that if they were tired and needed a rally of "crosses" from their friends. The trial will be resumed this morning, with Fairfax Wheelan in the witness chair.

The strongest testimony yet submitted against Charles Wyman, accused of voting fraudulently, was presented yesterday in Judge Luther's court by Theodore Kytha, handwriting expert. Kytha declared in a positive tone that the name of S. H. Mann on the roster of the Seventy-third Precinct of the Thirty-ninth District was in the handwriting of the defendant, Charles Wyman.

When the prosecuting attorney asked the question, "Did the same person who wrote this affidavit write S. H. Mann, 2605 B. Post street," Wyman cried forward in his seat and a hush fell over the courtroom. "Yes, sir," replied Kytha, decidedly. Wyman dropped his head and paled slightly. The strongest link of the prosecution had reached home.

The expert started to show the points from which he drew his conclusions by means of a blackboard, but darkness intervened. He then a fac simile of the "W" in the ordinary Wyman signature on the blackboard and compared it with the "W" in Mann.

"The initial strokes in both letters are identical," declared Kytha, "The 'M' in Mann is the characteristic Wyman 'W' with a final stroke."

"See," he exclaimed, dramatically, "I erase the final stroke and we have the Wyman 'W'." The roster containing the alleged signature of S. H. Mann and examples of Wyman's handwriting were passed in the jurors.

S. H. Mann took the stand early in the afternoon and declared that he did not enter his name in the roster of the Seventy-third Precinct on August 9, in the cross-examination Mann admitted that he had been employed by Fairfax Wheelan subsequent to the primary election. Attorney Countrymen offered as evidence a receipt for \$3 obtained from Wheelan and bearing Mann's signature.

"Why did you hire this man?" was asked Fairfax Wheelan.

"I wanted to make sure that he would not be captured by the defense," replied Wheelan. "Besides, I wanted to get an authentic example of his handwriting."

"At the time you hired him did you speak to him about the election?"

"I did not," replied Wheelan, positively.

"Did you ever see him before August 9?" inquired Countrymen.

"I did not," was the answer.

Fairfax Wheelan's son was on the stand in the morning and substantiated the testimony his father gave on the previous day. Special Policeman Joseph Doyle said that he saw Wyman vote on the afternoon of August 9, but did not know whether he voted in his own name or used the name of S. H. Mann.

A. R. Goheen, the ballot clerk of the Seventy-third Precinct, declared that ballot No. 31,328 had been ruled but said that he did not know who ruled it. During the examination of this witness Attorney Hosmer became impatient at Countrymen's frequent objections and displayed some temper. The case will be resumed at 9:30 a. m. today, when Kytha will illustrate on the blackboard why he believed Wyman wrote the name of S. H. Mann.

Administration Gang Making Desperate Efforts to Save Charles Wyman, the Alleged Ballot-Box Stuffer.

THERE was a good deal of substance in the Wyman trial for fraudulent voting before Judge Lawlor and a jury yesterday.

Edgar S. Wheelan, the young son of Fairfax H. Wheelan, the complaining witness, testified to having seen Wyman write and vote the name of S. H. Mann. Theodore Kytko, the handwriting expert, compared some authenticated writings of Wyman with the fraudulent entry by Wyman in the roster of the Seventy-third primary precinct, and testified that all the writings were made by the same person.

A. Goeljen, a clerk of the election board that permitted Wyman to vote fraudulently, furnished a surprise for the defense. The election officers who acted in the Seventy-third precinct at the August primary have heretofore been classed as members of the Almsirelli administration gang, and their testimony has been favorable to that combination. Goeljen, however, refused to testify yesterday that Wyman was not the man who voted the name of Mann. He said that he went to school with Wyman and had known the ballot box stuffer for fifteen years, but did not know who it was that he voted Mann's name. The defense made every effort to get Goeljen to say that it was not Wyman who voted, but the best it could get from the witness was "I don't know who it was."

Special Policeman Doyle testified to the attempts of the administration in intimidating witnesses by threats. He said that "Tod" McDonald, a gambler, who runs his illegal games under the protection of the administration, his poolrooms at the corner of Kearny and Bush streets having recently been raided because of a report by Police Commissioner Hutton, had threatened to have him "intimidated" if he testified against Wyman.

Works Commissioner Maestrelli was on hand to look the trial, in so far as the conduct of the defense was concerned, giving his orders to Lawyer Countryman, who is one of his followers in the Thirty-ninth Assembly district.

WYMAN IS RESTLESS.

Wyman was unusually restless yesterday for two causes—the testimony was very damaging to his case, and then he had been deprived of his pastime of scribbling on scraps of paper, which has been his habit during the trial. Some of these "exemplars" of the defendant's handwriting have come into the possession of the prosecution, Wyman carelessly rolling them up and throwing them on the floor of the courtroom. Now the defendant's lawyers will not let him scribble names and other things on pieces of paper any more.

Fairfax H. Wheelan was recalled for further cross-examination by the defense. The only new evidence was developed through the question by Countryman:

"When did you next see the roster after Wyman had written in it?"

"I went back that afternoon to see it. I found that I did not have the number of the line on which Wyman had written. It was 114, and I made a note of it in my memorandum book."

Countryman said "That's all" for a second time, and apparently wished he had stopped with the first declaration that he had finished.

Joseph T. Doyle, a special policeman, testified to having been in the booth at Baker and Bush streets when Wyman voted the name of Mann. The witness said that he saw Wyman copy a name from the index between 3:30 and 4 P. M. go into the marking stall, come out and hand a ballot to Clerk Silverstein, which was placed by the latter in the box. Doyle said that he did not particularly notice whether Wyman had a ballot in his hand when he went into the stall, but saw him with one when he came out.

KNEW HE WAS WATCHED.

Doyle testified that he knew Wyman. After the latter had told they stepped out upon the sidewalk, and Wyman, referring to Fairfax Wheelan, said: "I think that man is watching me."

Wyman also said: "I suppose that it had been a vote for 'Assidy' it would have been all right."

Doyle testified that he saw Wheelan draw a note book from his pocket and write something in it.

On cross-examination the defense brought in as one of its star witnesses the name of "Tod" McDonald. They sought to show that the presence of Doyle was watch in the presence of Doyle and said that it was 3:30 o'clock, and that it was in this way that Doyle fixed the time. The witness said that he did not remember seeing McDonald at that time.

RAID THREATENED WITNESS.

The defense sought to show that Doyle had made contradictory statements about the voting in a policeman's even saying in a policeman's court that he did not see Wyman vote. This Doyle denied.

The witness told that he had been approached by "Tod" McDonald, who asked him if he was going to testify against Wyman. When Doyle replied that he was going to tell the truth, McDonald threatened him, saying: "If you do it the hell make it appear that you told Wyman to do this and have you thrown in."

The other person who "bothered" the witness a good deal calling after him in the streets and from the cars. Police Officer Krawaether had approached him in a threatening manner and said: "Your testimony will be thrown in this case. Did you not tell me Wyman did it?"

On cross-examination Countryman sought to show that Doyle had

said that "Tod" McDonald voted with him. He said that the witness denied, but said that McDonald had threatened to have him "intimidated" if he testified against Wyman.

SAW HIM COPY NAME.

Edgar S. Wheelan, the young son of Fairfax Wheelan, a student in one of the preparatory schools of the State, was a leading witness for the prosecution during the day. He told of having been at primary polling place 13, on Bush street, near Baker, at about 4 P. M. on August 9, 1904. About that time Charles Wyman, the defendant, came riding down Bush street in a buggy which was driven by another man. Wyman left the buggy and went into the booth. There he took a seat in a chair at the table and pushed his hat back on his head.

Young Wheelan proceeded that Wyman placed an index of voters before him, and, resting his arm on the roster, proceeded to copy into the latter book a name from the index. The defendant was given a ballot, with which he went into one of the marking stalls. He came out again and handed the ballot to Silverstein, an officer of election standing at the ballot box. To the best knowledge and belief of the witness the ballot was deposited in the box, although he said that he was not positive of this. Wyman passed out of the booth and down in the corner of Bush and Baker streets, where he stood talking with some men. Wyman then crossed the street, and that was the last the witness saw of the defendant that day.

Young Wheelan said there were four election officers, his father and himself in the booth at the time Wyman did the writing. The witness saw Wyman write "S. H. Mann, 2601B Post street, Rep."

Wheelan was shown the entry in the roster and asked by District Attorney Rylington:

"Is that what you saw the defendant, 'Charles Wyman, write'?"

"Yes, sir," was the answer.

On cross-examination by Countryman the witness' attention was called to his testimony on the preliminary examination in the Police Court that he did not specially notice the depositing of the ballot in the box. Yesterday he said that to the best of his knowledge and belief the ballot was so deposited.

Wheelan explained that he believed the ballot to have been placed in the box, because if it had not been he would have specially noticed the failure to so deposit it. As it was, he paid no special attention to what was done with it.

MANN DID NOT VOTE.

Samuel H. Mann, whose name was voted by Wyman, was called by the prosecution. He identified his affidavit of registration, and was further examined by John H. Hosmer, as follows:

"Did you vote at the primary election held August 9, 1904?"

"I did not."

The attention of the witness was called to line 114 of the roster of the Seventy-third precinct of the Thirty-ninth Assembly district, on which was written, "S. H. Mann, 2601B Post street, Rep." and asked:

Did you write that name, address and political designation?

No, sir; I did not.

You can write?

Yes, sir.

You authorized an one to write your name and address for you?

No, sir.

The witness testified that no one other than himself had lived at 2601B Post street for the year preceding August 3, 1904.

A. Goeljen, clerk of election in the Seventy-third primary precinct, identified writing by himself on Mann's certificate of registration. He testified that Ballot Clerk Pugh had called out "31,928" as the number of the ballot given the person representing himself to be Mann. This the witness had written on the affidavit, and also "voted" when the announcement was made by Silverstein that the ballot had been placed in the box.

CLERK KNOWS WYMAN.

When cross-examined by Countryman, the witness was again shown Mann's affidavit of registration upon which Goeljen had written the number of the ballot and the word "voted," and asked:

Do you know who the man was who wrote when you made these writings on the affidavit?

No, sir.

Was the man who voted that name Charles Wyman, the defendant in this case?

I don't know.

Do you know Charles Wyman?

Yes, sir.

How long have you known him?

Fifteen years. I used to go to school with him.

Countryman made several attempts to get Goeljen to say that the man who fraudulently voted was not Wyman, the defendant. He finally asked:

"Are you sure to state or not that the man who voted ballot 31,928 was or was not Charles Wyman?"

Judge Lawlor ruled that the question was not admissible, the witness having already stated that he did not know.

Corporal of Police John S. Adams, who is connected with the License Department, identified the signatures to three applications for permits to sell liquor at retail as having been written by Wyman in his presence. The three papers were admitted as exemplars of Wyman's signature.

DEPUTY REGISTRAR RECALLED.

Deputy Registrar of Voters Joseph X. Strand, who on the day before had testified that he was familiar with the handwriting of Wyman, was recalled. He testified that Wyman had worked in the registration office in July, 1904, and during that time made out a number of affidavits of registration. He

Did Alexander prove that the ballot is entered in the index of the voters before the election with those who were the an deceased until attacked.

By nearly every counsel here James Dunsinuir proved that the line of his deal "Columbia." But the eleven transcribed recriminal upon witness was based. James Dunsinuir begged. But each in his own right as a resident of has been suggestive of the case that a beneficiary has a California law and real fight in Brills.

The entire time of court yesterday a continuation of the journey J. C. Campbell no one unclaimed much the California Dunsinuir will. Th were necessarily of nature, he managed interesting and the interests involved at of speculators to the time a spark of evil in the proceedings of the opposition. A seemingly innocent at each time.

SUPPOSES A

"Let us suppose the will, or somebody of will," said Attorney of let us suppose that he or London to have it pl he had a right to take it jurisdiction he had a n to another. Then, with being examined, suppose the record to this court ancillary probate. Will that our law admits of evidence?"

The gist of Campbell's was that a will must be probated in the jurisdiction the maker was domiciled of at death, and his claim in support of this contention hour after hour of the court—and the end is.

If the will was probated by mistake, so that the will not be produced before the San Francisco, it was argued only proper proceeding was to set it aside. A copy, could, in that case, be as evidence of its contents, witnesses would have to be examined by our law.

THE LAW IN THE CA

Section 1294 of the Civil Code which these contentions are reads as follows:

First—Will must be proved at least testamentary or of which it granted in the county of which it decedent was a resident at the time death, in whatever place he may died.

Second—In the county in which the will may have died leaving an heir therein, he not being a resident of the State.

The question of Alexander Dunsinuir's domicile thus becomes paramount importance, and in it face of the record that he was a California man, the line of argument is adopted by the James Dunsinuir interest is availed with great interest and curiosity.

The case before Judge Coffey was continued until this morning.

was shown three of these affidavits, but at first declined to identify any portions of them except the signatures of Wyman attached to the papers.

District Attorney Rylington inquired sharply in respect to the change that had come over the witness in only four hours. He also asked Strand if he had not that day paid attention to him the strong resemblance of the body writing in the papers to that of Wyman.

While under fire Strand testified that the initial "M's" in the affidavits were, in his opinion, written by Wyman. For example, the "M's" in Michael McGuire, the name in one affidavit, had been written by Wyman, but the witness would not express an opinion in respect to the writing in the remaining portions of the two papers.

Testifying relative to the affidavit of "Thomas McMurphy, 40 Spear street, between Market and Mission streets," Strand said that all the initial "M's" had been written by Wyman, but he would not express an opinion in respect to the remainder of the name or body writing.

EXPERT KYTKA ON THE STAND.

The exemplars of Wyman's writing having been placed in evidence Theodore Kytko, the handwriting expert, was called as a witness for the prosecution.

District Attorney Rylington called Kytko's attention to the writing in the precinct election roster, "S. H. Mann, 2601B Post street, Rep." and the witness said that he had made an examination of it on October 11, 1904. His attention was next called to the exemplars as shown by the applications for liquor licenses and the affidavits of registration and he was asked:

"Can you, after comparison, tell whether the same person that wrote 'S. H. Mann,' etc., in the roster also wrote the signatures and 'M's' in the exemplars?"

"I can."

"Did the same person write them?"

"Yes, sir."

Expert Kytko, by using a blackboard, proceeded to illustrate the reasons for his conclusion that the writings were by the same person. He had proceeded as far as the great similarity of the "M's" and the "W's" in Wyman, the jury examining the exemplar and the roster when a recess was taken until 9:30 this morning.

called Wyman trial it seems to have been judicially established that a primary election was held in this city on August 9th last. There has been no court ruling on the subject as yet, and the verdict of the jury is a long way off, but judging from the testimony reported in the press it would appear safe to say, at least pending further developments, that we did hold an election. And there ended the first week. It has taken a long time and been very costly, but it is a satisfaction to know that our eyes did not deceive us.

On Monday, after Mr. Wheelan had incidentally testified that he saw Wyman commit a felony, the real business of the trial began. The villainous witnesses who saw the felony committed, and the villainous directors and members of the Merchants' Association who are contributing to the cost of the prosecution, the villainous Grand Jury which indicted the felony and the villainous Police Judge who held him for trial will now get their turn to testify. It may, and doubtless will, require weeks of time and barrels of money to show up all these villains in their true light, but the people fear the bills and they can stand it. The time seems to have come when it is essential that the respectable, respected and God-fearing members of the community must be made to understand that political felonies are privileged crimes and that political felons must be left undisturbed. To accomplish that end is the only purpose of prolonging a trial which otherwise might have been concluded in two hours.

Nevertheless there are a good many who protest that such farces as that of the Wyman trial are a disgrace to any community which tolerates them, an insult to common sense, and evidence of the moral and intellectual degeneracy of the age. The questions into the motives of Mr. Wheelan in making the complaint, the propounding of abstract conundrums on the nature of citizenship and good citizenship, and the countless other irrelevant and stupid interrogations which have been and will be propounded in this trial, are doubtless allowed by the Court lest in excluding them some person may be found whereon may be hung a Supreme Court decision setting aside an apparently expected verdict. They have no bearing upon the question before the Court, which is, "Did Wyman or did he not commit a felony?" If he did he should go to the penitentiary no matter what the character of his accusers. At least, that is what is claimed by some shrewd persons who would give dollars for one hour of good old Judge Jeffries in our Superior Court with an appeal from his rulings. It is insisted by these people that the proper object of criminal courts is to try criminals and not decent men—whichever merely, it would seem, shows that they don't know the law.



Mrs. W. M. Hillen.

Jan 1 - 1905

ATTACK BEGUN ON DAVIS CODICIL

Effort Will Be Made to Show
That Late Millionaire Did Not
Write Supplement to His
Will Disposing of His Wealth

Attorneys for Niece Give Notice They Will Demand Submission of Specimens of the Testator's Handwriting

A formal notice of a demand for an inspection of specimens of the handwriting of the late eccentric millionaire, Samuel Davis, indicates at least a strong probability that an effort is to be made to prove the codicil of the deceased capitalist's will a forgery. The notice in question was given yesterday, through the medium of the office of the Probate Court clerk to Julius D. Reis, executor of the will of Samuel Davis, as also to J. F. Cowley and Garret McEnerney, his attorneys. Those on whose behalf the notice is served are Mary D. Stone, one of the Davis estate heirs, as a representative of the late H. W. Davis, a nephew of Samuel, and the Mercantile Trust Company of San Francisco, executor of the will of H. W. Davis.

The ground for this movement is the belief of the petitioners that while the main portion of the reputed will of Samuel Davis was actually written by him, they do not admit that the codicil is genuine. Carlos P. Lomero figures as attorney for the petitioners in giving the notice to execution, with M. F. Michael and P. F. Duane figuring as counsel.

Davis died on April 4th last, leaving an estate valued at \$1,600,000, and a will dated February 28, 1898, which appointed J. C. Reis executor, but made no bequest. As a result the estate seemed in a fair way to be divided among the heirs at law in one and the same proportion, when a codicil to the will was brought forward on September 10th last, giving half of the estate to Jane Davis, a sister of the deceased, now also dead, disposing of \$185,000 in legacies varying from \$500 to \$20,000 each to various relatives, friends and benevolent societies, and ordering that the remainder be divided between nephews, nieces, grandnephews and grandnieces, share and share alike.

Under this arrangement Mary D. Stone, a niece of Samuel Davis, and an heir of the deceased nephew, H. W. Davis, would receive comparatively little from the estate, whereas, with a division made, in the absence of specific bequests, in accordance with the provisions of law, she would be left a handsome fortune.

Under the original will J. C. Reis, the executor, received nothing, nor does he do so personally under the codicil, but his wife is made a legatee to the extent of \$10,000.

DISMISSES COMPLAINTS AGAINST PETE M'GLADE.

Byington Admits That They Had
Been Kept Too Long in
Cold Storage.

On motion of District Attorney Byington, Judge Cook dismissed the forgery charges which have been standing on the reserve calendar of the court against Peter W. M'Glade, former bookkeeper for the Superintendent of Streets, since he was convicted on a similar charge in July, 1901, and sent to San Quentin for eight years after three trials, covering two years.

Judge Cook wanted his calendar cleared of the old cases and demanded that some motion be taken. Byington called attention to the fact that the statutory time for trial, sixty days after the filing of the information, had long since passed and said that if these cases were brought to trial they must necessarily be dismissed at that time. He also suggested that, even were this not the case, the county had already gone through several trials and spent a considerable sum of money in the prosecution of each case before its officers had finally secured the conviction of M'Glade of the crime for which he is now serving sentence.

The cases had been held at a club over M'Glade's head in the City Hall ring succeeded in securing a pardon for him, for the offense of which he was convicted, but as nothing more has been done towards securing executive clemency, the need of the club had disappeared and by adjunction of Byington it proved to have been a shifted one at best.

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Miss Walton Goes Free

Judge Fritz today dismissed the charge of felony embezzlement against Lena Walton, "queen of the Klondike." The charge was made by Max Gutter, who claims that Miss Walton had sold him an interest in a mine to which she had no legal right.

The judge found that there was no evidence to substantiate the allegation.

WYMAN FINDS NO HOLES IN THE NET

Motion of the Defense That the
Jury Be Instructed to Acquit
Is Promptly Denied by Superior Judge Lawlor.

The defense of Charles Wyman, ballot-box stuffer was begun with two motions. First Attorney Robert H. Countryman made the modest request that the jury be instructed to acquit. He argued the motion at some length, but when he had finished took Judge Lawlor only a fraction of a second to render a decision. The motion was denied. Attorney Countryman then asked a continuance until Saturday in order that Assemblyman Thomas B. Atkinson might be present to give testimony toward establishing an alibi for Wyman. After Countryman had been put on the stand and forced to admit that he knew Atkinson would be attending the sessions of the Legislature the motion was also denied.

During the proceedings that took place late yesterday afternoon S. H. Mann, whose name Wyman voted, testified that he did not vote at the primary election. While on the witness stand Mann furnished several samples of his handwriting. Theodore Kytko, the handwriting expert, was next called. He testified that the person who wrote the acknowledged signature of Charles Wyman attached to a certificate of registration already in evidence, also wrote the name of S. H. Mann in the roster of voters of primary precinct 12.

A Goofen, one of the election officials of the precinct named, surprised the defense by refusing to deny that the man who voted the name of S. H. Mann was Charles Wyman. He had known Wyman fifteen years, but all he would answer to the question of the identity of the voter who offended was "I don't know."

Kytko was on the stand again this morning. With the aid of blackboard and a microscope he pointed out marked differences between the admitted writings of Mann and Wyman. Countryman posed as something of a handwriting expert himself, but made a mess of it.

After an hour of heavy strokes, light strokes, pathos and bankers, Kytko retired from the stand, and the prosecution rested its case, with the understanding that later it might introduce testimony establishing the official position of signers of petitions filed by the various political parties.

It was Countryman's move. He asked that the court instruct the jury to acquit on the ground that no public offense had been proved. He dilated on the expense and trouble both to the State and his client if he were forced to put in an elaborate defense. Next he charged that the man who did the complaining was not familiar with the law, and that there was no such offense as falsely personating a qualified voter at a primary election. He quoted a messy decision, rendered by the Supreme Court before the passage of the purity of elections law, and insisted that the Legislature had never intended to make false personation a crime.

Judge Lawlor interrupted Countryman long enough to ask, "Do you think it was the intention of the Legislature to make a person who falsely personates a voter immune from punishment?"

"I certainly do," answered Countryman. Wyman's attorney charged incidentally that S. H. Mann was not a qualified voter, because he had moved out of the precinct before the primary election. The prosecution challenged this statement and promised to show that Mann had not moved out of the precinct.

In conclusion Countryman declared that further proceedings against Wyman would be unfair to the trial judge, for the reason that the Supreme Court would surely reverse any judgment rendered in the case. The proposition, however, did not alarm the trial judge. As soon as the Countryman and down a decision was rendered.

"The motion is denied."

Countryman next went through the forms of having Thomas B. Atkinson called as a witness for the defense. As Atkinson is in Sacramento looking orders from the court there, of course, was no chance when his name was shouted in the corridors. Countryman asked for a postponement until such time as Atkinson could be present. He presented an affidavit by his law clerk testifying that Atkinson had been subpoenaed, but was attending the sessions of the Legislature. He also read a telegram Atkinson saying that he could not leave Sacramento before Friday. Therefore, Countryman asked that further hearing of the Wyman case be postponed until next Saturday.

Judge Lawlor called Countryman to the witness stand, and made him admit that, with full knowledge that Atkinson would attend the session of the Legislature, he had subpoenaed "Hedy" when the case

ON DAVIS CODICIL

Effort Will Be Made to Show
That Late Millionaire Did Not
Write Supplement to His
Will Disposing of His Wealth

Attorneys for Niece Give No-
tice They Will Demand Sub-
mission of Specimens of the
Testator's Handwriting

A formal notice of a demand for an inspection of specimens of the handwriting of the late eccentric millionaire, Samuel Davis, Indiana, at least a strong probability that an effort is to be made to prove the codicil of the deceased capitalist's will a forgery. The notice in question was given yesterday, through the medium of the office of the Probate Court clerk to Julius C. Reis, executor of the will of Samuel Davis, as also to J. F. Cowdery and Garret McSherry, his attorneys. Those on whose behalf the notice is served are Mary G. Stine, one of the Davis estate heirs, as a representative of the late H. W. Davis, a nephew of Samuel, and the Mercantile Trust Company of San Francisco, executor of the will of H. W. Davis.

The ground for this movement is the belief of the petitioners that while the main portion of the bequest of Samuel Davis was actually written by him, they do not admit that the codicil is genuine. Carlos P. Pomeroy figures as attorney for the petitioners in giving the notice in question, with M. F. Michael and P. F. Duono figuring as counsel.

Davis died on April 5th last, leaving an estate valued at \$1,500,000, and a will dated February 28, 1898, which appointed J. C. Reis executor, but made no bequests. As a result the estate seemed in a fair way to be divided among the heirs at law in due and legal proportion, when a codicil in the will was brought forward on September 10th last, giving half of the estate to Jane Davis, a sister of the deceased, now also dead, disposing of \$158,500 in legacies varying from \$500 to \$20,000 each to various relatives, friends and benevolent societies, and ordering that the remainder be divided between nephews, nieces, grandnephews and grandnieces, share and share alike.

Under this arrangement Mary G. Stine, a niece of Samuel Davis, and an heir of the deceased nephew, H. W. Davis, would receive comparatively little from the estate, whereas, with a division made, in the absence of specific bequests, in accordance with the provisions of law, she would be left a handsome fortune.

Under the original will J. C. Reis, the executor, received nothing, nor does he do so personally under the codicil, but his wife is made a legatee to the extent of \$10,000.

The judge called the former bookkeeper Peter W. Merrill, who had been employed for the Superintendent of Streets, since he was convicted on a similar charge in July, 1901, and sent to San Quentin for eight years after three trials, covering two years.

Judge Cook wanted his calendar cleared of the old cases and demanded that some action be taken. Byington called attention to the fact that the statutory time for trial, sixty days after the filing of the information, had long since passed and said that if these cases were brought to trial at that time, he also suggested that, even were this not the case, the county had already gone through several trials and spent a considerable sum of money in the prosecution of court expenses before the officers had finally secured the conviction of Merrill of the crime for which he is now serving sentence.

The cases had been held as a club over Merrill's head in he used in case his friends in the "Big Hall" ring succeeded in securing a pardon for him for the offense of which he was convicted, but as nothing more has been done towards securing executive clemency, the need of the club had disappeared and by adjournment of Byington it proved to have been a shined one at best.

Dec 13. 1904
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During the proceedings that took place late yesterday afternoon S. H. Mann, whose name Wyman voiced, testified that he did not vote at the primary election. While on the witness stand Mann furnished several samples of his handwriting. Theodore Kyke, the handwriting expert, was next called. He testified that the person who wrote the acknowledged signature of Charles Wyman attached to a certificate of registration already in evidence, also wrote the name of S. H. Mann in the roster of voters of primary precinct 73.

A. Goelzen, one of the election officials of the precinct named, surprised the defense by refusing to deny that the man who voted the name of S. H. Mann was Charles Wyman. He had known Wyman fifteen years, but all he would answer to the question of the identity of the voter who offended was "I don't know."

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After an hour of heavy strokes, light strokes, polthooks and hangers, Kyke rested the case, with the understanding that later it might introduce testimony establishing the official position of signers of petitions filed by the various political parties.

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Countryman next went through the forms of having Thomas E. Atkinson called as a witness for the defense. As Atkinson is in Sacramento taking orders from Abe Hunt there, of course, was no answer when his name was shouted in the corridors. Countryman asked for a postponement until such time as Atkinson could be present. He presented an affidavit by his law clerk testifying that Atkinson had been subpoenaed, but was attending the sessions of the Legislature. He also read a telegram Atkinson saying that he could not leave Sacramento before Friday. Therefore, Countryman asked that further hearing of the Wyman case be postponed until next Saturday.

Judge Layton called Countryman to the witness stand, and made him admit that, with a full knowledge that Atkinson would attend the session of the Legislature, he had answered "Heardly" when the case was called for trial on January 2. Countryman made a lame explanation that he had an understanding with Frank McSherry in Wyman he didn't know whether Atkinson would be present when needed.

Judge Layton denied the motion for a postponement and ordered the defense to proceed with its case.

Countryman called John Bond, one of the Schmitz jailers at the Hall of Justice, as his first witness. Bond's part was to shatter the testimony of Special Policeman Joseph T. Doyle, who had sworn that he saw Wyman commit the offense with which he is charged. Bond testified that on the afternoon of January 3, 1904, in the courtroom of Judge Cook, when only Doyle and himself were present, Doyle said that he had been made a witness in the Wyman case and added: "They were humbling me and I was afraid they would throw me in. You ain't lost those merchants."

The cross-examination Bond testified that he was formerly a member of the police department. The prosecution admitted that it intended to attack the credibility of the witness, and a series of questions having that end in view was begun long before the court ordered an adjournment until 2 o'clock.

STEFFENS NOW BEHIND BARS

Alleged Ballot-Box Stuffer, Indicted by the Grand Jury, Is Captured in the South.

FLED FROM CITY
AHEAD OF WARRANT

Lived Sort of Jekyll-and-Hyde Existence in Los Angeles, Where the Police Caught Him When About to Escape.

Adolph Steffens, alias Schulz, alias Keeling, indicted for ballot-box frauds at the primary election, is safely behind prison bars, thus adding another to the list of election offenders who attempted to run the Seventy-third precinct of the Thirty-ninth district at the last elections.

When the Grand Jury, on September 20th, brought in an indictment charging Steffens with "willfully, fraudulently and knowingly voting the name of C. A. Green" in the Seventy-third precinct of the Thirty-ninth, Steffens suddenly disappeared, and when a warrant was sworn out for his arrest no trace of him could be found. He forsook his home at 2114 Sutter street and his usual haunts, and nothing was heard of him until last night, when his arrest was made in Los Angeles. At the time of his disappearance the police authorities sent broadcast throughout the country full descriptions of the much-wanted man, and it was through one of these that Chief of Police Hammell of Los Angeles was successful in placing hands on the fugitive.

Steffens, it appears, had been leading a sort of Dr. Jekyll and Mr. Hyde existence in the southern city. For weeks the Los Angeles police had been watching his home at 2114 Sutter street. Thinking no doubt that he was throwing off suspicion, Steffens lived there as Adolph Keeling, while in the day time he followed the prosaic occupation of a butcher in a meat market at 1652 West Temple street under the name of Adolph Schulz. Why he did this, Steffens will not say. He admits, however, that he has been in Los Angeles ever since the Grand Jury here brought in its indictment against him. He states further that he was about to "sail out" for parts unknown when the police stepped in and nabbed him.

Word of the arrest came to Captain of Detectives Burnett last night, and he at once detailed Detective Taylor to leave for the county to-day and bring back the prisoner. There will be no trouble about his return here, as the Grand Jury indictment calls for his arrest by any sheriff, constable or police officer in the State. Taylor will take with him the bench warrant calling for the arrest of Steffens under the Grand Jury indictment.

The Merchants' Association, which has been pushing the prosecution of all the ring ballot stuffers, believes that it has as strong a case against Steffens as it has against Wyman and Reiback, two others of the Maccretti crowd.

WYMAN CASE IS PUT OVER FOR TWO WEEKS.

Court's Docket Too Crowded to Permit of Trial—Election Commission Again Cited.

The trial of Ballot Stuffer Charles Wyman was put over for two weeks yesterday in Judge Lawlor's court. For the first time in the progress of the case the defense was not only willing, but eager to proceed. This eagerness was regarded as being principally a "bluff," based on knowledge that the District Attorney's office was compelled to devote itself to the prosecution of the Gunther jury-fixing case, for which a country Judge had been secured after much difficulty. Wyman's attorney, Courtney, argued and objected, but the Court finally continued the trial to December 21st.

A new citation has been issued from the District Attorney's office for the Election Commissioners to appear before Judge Lawlor on December 20th at 10 A. M. and answer the accusation of the Grand Jury charging the Commissioners with "willful and corrupt misconduct in office." The first citation issued from the District Attorney's office was irregular in form and not in compliance with the provisions of the law and was thrown out of court by Judge Lawlor. Should the present citation be in proper form some progress may be made in this case. The defense, however, will claim that the citation in this instance is even more defective than the first. Should this contention be sustained by the Court twenty or thirty days more will be consumed in giving the District Attorney's office another opportunity to try to issue a legal citation. Should the citation be sustained by the Court the defense will renew its fight on legal technicalities addressed to the citation itself.

The hearing before the Supreme Court, sitting in bank, in the Hoboken case was postponed yesterday for one week. The counsel for the prosecution asking for a postponement on the ground that very slight notice had been given, and that ample time for preparation of argument had not been had. The matter will be taken up this week next Monday morning.

Chumelle
Dec 11 -
1904

SCORES HIGH ON REVOLVER RANGE



T. Kytka, President Pacific Indoor Shooting Club, With Target Showing Score of 82 Made by Him.

Kytka's Good Work With a Heavy Weapon.

THEODORE KYTKA was, on Thursday night, elected president of the Pacific Indoor Shooting Club, which was organized last year for the encouragement of accuracy in revolver shooting. The other officials elected were: Geo. T. Frahm, vice-president; H. G. Grupp, secretary; M. Kulander, treasurer; J. Kullman, shooting master; W. C. Pritchard, deputy shooting master.

Mr. Kytka is a member of the United States Revolver Association, which has a membership of nearly 1000. He is one of the best shots in the local club, and an enthusiast in fancy shooting. The illustration gives a sample of his marksmanship. The score represented by the target reproduced is 82, out of a possible 100. It was made at twenty yards with a 44-caliber S.W. Russian model revolver. This is the heaviest revolver used in the club.

The Pacific Indoor Shooting Club.

now has seventy-five members, including most of the best revolver shots in this city. The gallery at Second and Mission streets is always open for practice. It is fitted in a thoroughly up-to-date manner, being equipped with ten automatic targets, attached to wires.

Members shoot indoors with revolvers of from 22 to 44-caliber, reduced charges, twenty yards. At the outdoor gallery the range is fifty yards, and full charges are used.

Throughout the year team and individual shoots are conducted for prizes. A match for the championship is held once a year. The present champion of the club is F. V. Kingston, the ex-president, with a score of 85, on a United States standard target with a 22-caliber revolver, at twenty yards.

Last week a team from the club defeated the Hoboken team, the latter being in New Jersey and the scores being telegraphed. The Hoboken team comprised some of the crack Eastern shots. San Francisco won by thirteen points.

Chronicle
Buller
Feb 14
1905

NOVEMBER 29, 1904.

FIGHT ON OVER A LARGE ESTATE

Administrator Named in New
York to Look After Rights of
Heirs of Samuel Davis' Sister

AMSTERDAM (N. Y.), November 26.—Complicated and interesting litigation has been begun over the estate of Samuel Davis, who died in San Francisco last May leaving a \$2,000,000 estate, by the appointment of a temporary administrator for the estate of his sister, Jane Davis, who inherited at least half of Samuel's \$2,000,000. The heirs of Jane Davis claim the entire \$2,000,000 and will fight to shut out distant relatives, to whom the codicil of Samuel Davis' will gave half of his estate. The temporary administration is granted on account of the delay which will occur in the probate of the will of Jane Davis, who died a resident of Galway, Saratoga county, but upon whose estate the Probate Judge of Fresno county, Cal., has granted letters of administration to Robert D. Chittenden, who is also Public Administrator of Fresno county. The Public Administrator, by his attorney, has filed contesting allegations to the probate of the will, and the determination of the contest of the rights of the parties will cause considerable delay.

FAIRMOUNT HOTEL AND FAIR BUILDING ATTACHED

J. F. Seymour Brings Action to
Force Payment of \$300
Monthly Salary Under Ten-
Year Contract by Charles Fair

The Sheriff yesterday attached the Fairmount Hotel, belonging to Mrs. Theresa Oelrichs, and the Fair Building, at 230 Montgomery street, the property of Mrs. Virginia Vanderbilt. The buildings and sites were levied upon at the instance of John F. Seymour, former chief of detectives in the Police Department, as a step toward the collection of the claim which he holds against Mrs. Oelrichs and Mrs. Vanderbilt and on which he lately filed suit against the two defendants named.

His claim, as set forth in the complaint, is that the late Charles Fair, brother of Mrs. Oelrichs and Mrs. Vanderbilt, during his lifetime made a contract by which Seymour was to act as superintendent of the local Fair properties for the period of ten years at a salary of \$300 a month. This contract the sisters, according to the complaint, declined to carry out after their brother's death, dismissing Seymour from the position, on account of which he had resigned his place as head of the detective force. The suit which he has instituted in consequence of this dismissal is to compel the payment to him of the money which would have represented the total of his salary for the remainder of the ten years had he been left undisturbed in his position.

Peter F. Dunne is attorney for Seymour, and yesterday afternoon had a word of explanation to give in connection with the attachments. "The two buildings, the Fairmount and that at 230 Montgomery street," he said, "are attached because the former belongs to Mrs. Oelrichs and the latter is the property of Mrs. Vanderbilt and both women are defendants in this action. There is no intention, it must be understood, of interfering with the placing of the attachments on the defendants are not able to meet any claims which may be held to be valid against them by paying the same in cash. The attachments are levied on the property in order to give the local courts jurisdiction in the pending proceedings. Both defendants are non-residents and the law provides that where property is owned by non-residents in the place where the proceedings are instituted the attaching of that property gives jurisdiction. It is for this reason, and this reason only, that this attachment has been levied—not with any idea of snubbing the defendants unnecessarily."

Will Keep Rings

May Masina, known in the gay world as Gladys Freeman, was ordered discharged from custody by Judge Canabias today. She will retain the possession of two diamond earrings that were presented to her by Louis Para, 237 Oak st.

The man claimed that she had signed a contract agreeing to turn over the earrings to him whenever he demanded them. Handwriting Expert Thomas Kytko today testified that the name of Freeman on the contract was a forgery and had not been written by the young woman. The earrings are valued at \$200.

FACES A JURY AND DENIES GUILT

Adolph Steffens Swears That He
Did Not Vote the Name of
C. A. Crews at the Primary
Election Last August:

Adolph Steffens went on the stand in Judge Lawlor's court this morning, and in the face of a mass of testimony presented by the prosecution, who testified that he did not vote the name of C. A. Crews in precinct 12, Thirty-ninth A. C. C. district, at the last primary election.

In explaining to the jury why Steffens lied when he was indicted, he told how valuable he was willing to pay for an order of pardon and was offered in a Turkish restaurant he picked up a newspaper and saw that the Grand Jury had returned an indictment against him. He remembered that his mother was suffering from a cancer of the breast, that he was about to submit to an operation, and he was afraid that if he were arrested and judged in jail it would cause her death. Therefore he hastened home, told his sister he had got a job on a Pullman mail boat, and made tracks for San Mateo, going from there to San Jose and after a short stop in the latter city continuing on his way to Los Angeles, where he was traced.

The prosecution closed its case with the testimony of Theodore Kytko, handwriting expert, who declared that Steffens wrote the name of Crews in the primary precinct roster of voters as provided unlawfully, showing a startling similarity between the entry on the roster and the admitted writing of Steffens.

After Alexander L. O'Connell, attorney, had made a formal and valid motion for dismissal on the ground that the law prescribed no penalty for this offense, charged and that the primary election law is unconstitutional, the judge put on William H. Podd as his first witness.

Podd was a ballot clerk in the booth of primary precinct 12. He had known Steffens for six or eight years. He didn't know Crews, but he knew that Steffens had not voted the name of Crews. It was a day before the election until District Attorney O'Connell took hold of him and insisted on his answers. After much caution the witness finally testified positively that Steffens did not vote the name of Crews.

The witness testified that he was in the booth all day, except for the few minutes he took him to get breakfast, and that he gave ballots to every one who voted. He was asked if he did not give three ballots to Edward Wyman and he answered no. As far as he knew, Wyman had not voted the name of any other when he took his own name. This time of questioning was too much for Podd, who is a dull fellow at best, and finally he concluded that he was not sure as to what was done in the booth. Further inquiry brought out the fact that he didn't know the date of the birth.

Leon S. Cutron, a carpenter, who was a clerk of elections in primary precinct 12, next took the stand. He was certain to state that he was not in the booth during the day, but went out several times. To the best of his recollection Steffens had not voted the name of Crews.

On cross-examination the witness admitted that he had not worked at his trade for six months. When he had any spare time he went out shooting guns for the market. A rapid fire of questions as to what he did in the booth of precinct 12 brought out incriminating answers, such as "I think I did." He was in care of his own handwriting in the precinct, but when pressed he picked out several names and said he had written them. He was informed that another witness had under oath admitted writing one of the names in question, and then the witness admitted that he was not sure of anything except that he would rather hunt when he had any spare time.

John C. Skinner, clerk in charge of the Polls in precinct 12, testified that Steffens' reputation was good.

PART OF SIGNATURE PROVES A FORGERY.

May Masina, alias Gladys Freeman, charged with feloniously embezzling two diamond earrings from Louis Para, was dismissed by Police Judge Canabias yesterday, the testimony of Handwriting Expert Kytko proving that the alleged signature of the defendant to an agreement to return the jewels on demand, was in part a forgery. The earrings had been given to the woman by Para when he was paying court to her, with a "string" in the shape of an agreement which stated that she would return them to him if she transferred her affections. The name of Gladys Freeman appeared as signature on the agreement, but while the name "Gladys" was in the handwriting of the defendant the name "Freeman" it was explained by Kytko, was written by some one else.

TESTIFIES IN WEAK VOICE

Witness for Steffens Too Nervous to Speak Above a Whisper.

The trial of Adolph Steffens was continued before Superior Judge Lamb for this morning and the case for the prosecution was concluded with the testimony of expert Theodore Kytko in reference to the handwriting on the roster.

A motion to dismiss made by the defendant's counsel was promptly denied by the court. The first witness called was Win. H. Podd, an election officer of the Seventy-third precinct. He testified that Steffens did not vote the name of C. A. Crew, the prosecution alleging that he did.

This statement was brought out in cross-examination and was made in a low, nervous voice, as if he were afraid of committing himself. Podd also stated that no person at his booth voted more than one name. He said he allowed one or more men to vote after the booth closed.

Leon S. Curran and John C. Skinner also testified in behalf of the defendant.

STEFFENS SITS BESIDE HIS MOTHER

Ballot-Box Stuffer Relies on Sympathy to Free Him of the Charge of Violating Primary Election Law.

While in Los Angeles Fugitive Never Wrote to His Family. Attorney for the Defendant Pleads Hard for His Client.

Adolph Steffens, ballot box stuffer, had his mother sitting beside him in Judge Lawlor's court this morning while argument was in progress. Special Prosecutor John A. Hosmer first addressed the jury, pointing out the many instances of guilt. This was done in a concise address lasting only just half an hour, but Alexander L. O'Grady, attorney for the defense, devoted an hour and a half to an endeavor to prove that a reasonable doubt still existed. District Attorney Byington began the closing argument at 2 o'clock this afternoon.

Review Testimony.

Hosmer pictured the condition of affairs in Primary Precinct 13 of the Thirty-ninth district, where election officers are pointed as Democrats showed their lack of honesty of purpose by voting the Republican ticket. He reviewed the uncertain testimony of Election Officers Podd and Carlson, whose principal answers were, "Not to my knowledge," and "I don't remember." It was argued that the handwriting introduced in evidence made it certain that Steffens had voted the name of C. A. Crew.

The excuse of Steffens that he fled from the city because he feared that his arrest might cause the death of his mother, who was about to be operated upon for a cancer, was contrasted with the failure to write to his mother or to any of his relatives while he was in Los Angeles. The assumed name taken by the fugitive was pointed out by another evidence of guilt, and in conclusion Attorney Hosmer urged the jury to punish Steffens in order that others might be deterred from committing a similar crime.

Whelan Denounced.

Attorney O'Grady began by referring to Mr. Hosmer as the special counsel of Fairfax H. Whelan, who made the complaint against Steffens. He made the usual attack on the handwriting expert and declared that there was nothing in such testimony. Mr. Whelan was denounced for testifying that he stood by and saw a felony committed without making a protest. O'Grady identified the principal witness of the prosecution as "Fairfax H. Whelan, son of Peter Whelan, of the Solid Nine," and rebuked the "Solid Nine" until the court requested him to confine himself to the case at issue.

O'Grady called attention to the fact that George W. Steffens, brother of the defendant, had not voted, and contended that if the defendant wanted to cast a fraudulent ballot he would have voted the name of his brother. O'Grady declared that the testimony of the election officers vindicated his client, and was quickly reminded by the District Attorney that the defense had not called C. M. Silberstein, an election officer of Precinct 75, although Silberstein sat in the courtroom while the defense was putting in its case.

Loves His Mother.

The attorney for the defendant did not neglect to speak of the love of Steffens for his mother, arguing that such affection is conclusive of innocence. He concluded by making an extended appeal to the jury to give the accused the benefit of what he declared was a reasonable doubt of his guilt.

STEFFENS CASE IS CONCLUDED

Defense Attacks Credibility and Character of Expert Kytko and Fairfax Whelan.

A brief half-hour session for J. A. Hosmer to present the arguments of the prosecution to the jury in the case of Adolph Steffens, charged with voting the name of C. A. Crew at the last primary election. He summed up the people's case, dwelling on the testimony of Fairfax H. Whelan, who swore to seeing Steffens write Crew's name.

He was followed by Attorney O'Grady, who devoted his hour and a half to picking to pieces the character of the prosecution's witnesses. He stated several instances when he alleged that the testimony of Expert Kytko was false, and even went so far as to accuse him of a lie in one instance. This was followed by an attack on Fairfax Whelan Sr., when he was interrupted by District Attorney Byington, who accused him of murdering the subject. He responded: "Well, I expect you to hunt around the bush anyway, and was just anticipating you."

District Attorney Byington will conclude this afternoon and late in the day, after Judge Lamb's charge, the case will likely go to the jury.

USE TELEPHONE TO AID FRAUD

Former Employee of the Works Board, With Crony's Help, Bunkoes Two City Officials.

With a charge of attempted extortion pending against them, James Barry and Edward Hatchell are accused of obtaining the wages of Head Gardener Charles Taylor of Golden Gate Park by forgery, trick and device and other unlawful methods which accomplished the object.

Barry was formerly employed by the Board of Public Works, but was discharged Monday. The next day he made his plans to re-organize himself, and included in them his cronies, Hatchell, driver of a delivery wagon. He telephoned to the office of Auditor Barth, representing himself as Taylor, and asked if the demands of the Park employees were ready. Being answered in the affirmative, he said he would send a young man down with an order for his. Then came Hatchell in the Auditor's office with a demand purporting to be signed by Taylor and the warrant was delivered to him. One of them, supposed by the police to be Hatchell, forged the indorsement of Taylor to the warrant and obtained the \$75 from Treasurer McDougall.

Barry's share of the money probably went for liquor, as he was sent to the Central Emergency Hospital Thursday night raving with delirium tremens, and is still held there for observation.

After getting money so easily by use of the telephone, they attempted to

SEND CONS

EVIDENCE in the case of a graft-ribbon e mailed by a common colored Tuesday at of the United States envelope being add, "George F. Chapman, Manager United R. C. C. Inside of it was dollar greenback and 94 in stamps and a slip of hearing the words "Put to your conscience mind." anonymous sender was a doubt in old man, for it handwriting was irregular and wavering. It is the belief of Manager Chapman that the sender was some old man whose conscience pricked him, probably for having ridden without paying fare, and who, feeling disconsolation near, wanted to square himself with his moral sense.

ket more Wednesday night. Telephoning to Saloon-keeper J. Hurley at 113 Eddy street, the one talking arranged to send a messenger to get the bill for a friend of Hurley who was in jail. Suspicion caused the delivery of a day message, which caused the arrest of Barry and Hatchell for attempted extortion.

DAVIDSON, JAMES, FOR 1888888

*Arrived
feb 11 -
1905*

*Phillips
feb 15 -
1905 -*

*Post
feb 15 -
1905*

TRIES TO WORK SYMPATHY DODGE

ALL of the testimony in the case of Adolph Steffens for election frauds was concluded yesterday and the arguments will be had to-day. The witnesses for the defense divided their time between working on the sympathy of the jury and forgetting what happened at the polling booth where the illegal voting took place.

STEFFENS CASE NOW GOES TO JURY.

Witnesses for Defense All Have
Most Convenient Memories
Regarding Their Recollections
of the Day of Election.

THE TRIAL of Adolph Steffens, the ballot-box stuffer, was closed yesterday, in so far as the taking of testimony went, that being declared "all in." The arguments will be had to-day and the case will probably be given to the jury this afternoon.

The main witness of the day was Steffens himself. He based his defense largely on an effort to create sympathy on the score that he had run away after his indictment because, if he were arrested and his rich mother found it out, the fact would hasten her death. In this way he sought to account for his fleeing from the city and assuming two aliases while he was a fugitive from justice.

On similar sympathetic lines the defendant attempted to explain his course on the day of the primary election. His excuse for his sick mother, he said, had caused him to go to his home and to remain there over the period during which he is accused of having fraudulently voted the name of P. A. Chen. Having passed that critical stage in his defense, he looked at his watch and hurried back to the polls just in time to vote before they closed.

Jury Chafey pertinently inquired why Steffens, who had testified that he was at the polls all day distributing posters, had not found an opportunity to vote earlier. Steffens replied that he had not thought of it.

STEFFENS GIVES DETAILS.

Steffens dealt with some subjects with great particularity. He told that he was in a restaurant at the corner of Turk and Market streets, and had ordered ham and eggs just before he read of his indictment by the Grand Jury in a morning paper. He hastened home and told his sister to tell his mother that he had got a job in a China Mall at dinner and to not let her see the papers. He then went to San Mateo where he remained a day. He next moved on to San Jose, remaining there seven or eight days, and then proceeded to Los Angeles.

Steffens denied having voted the name of Chen or any other than his own.

Under cross-examination by the District Attorney Steffens testified that he was at the polling place peddling Union Labor posters on primary election day. He had been placed at the head of the Labor ticket by Max Baer and at the request of Harry Knox. While he was a candidate for delegate on that ticket he voted the Republican ticket because he was a Republican.

During his wanderings he went by the names of Thomas Keating and Adolph Schultz. He denied that he had any correspondence with persons in this city. His witness could not remember whether he worked a month or a day in a butcher shop in Los Angeles, nor could he recall the name of his employer.

DEFENSE TO "PEACH."

Steffens was appointed to the Fire Department September 23, 1904. He was indicted September 30th and got a leave of absence that same day for ninety days. He left the city October 1st. He would give no information as to the manner of his securing the leave of absence or of the way in which he secured a removal of it for another ninety days. This is, of course, a purely substantiation matter, as was also the ballot-box stuffing by Wynne and Steffens, and the defendant refused to "peach on his pals."

Mrs. Hermus Duro, a sister of the defendant, testified to his visit to their home after his indictment and Steffens asking her to tell his mother he had gone to China. Mrs. Duro knew nothing of the primary election.

Theodore Ryka, the handwriting expert, testified that in his opinion, C. A. Chen, the man whose name Steffens forged and voted, could not have written his name as it appeared on the precinct roster. Steffens, having identified some of his handwriting in registration certificates, Ryka gave additional illustrations of the great similarity of the imitated writings and the forgery of the name and address given on the roster.



Adolph Steffens, Who Is on Trial for Election Frauds.

RUNS ENGINE MELLIAN STYLE

AN ALMOND-EYED, shaven-headed Chinese, in queue and blouse, running a big American locomotive, and running it fast and well, is the odd thing that foreigners notice on the Canton and Hankow Railroad. It is Loy Yee who fills the proud position in the cab, and he used to be second painter on the steamer Coptic. He now holds the throttle on No. 38, running out of Canton. When former Chairman of the Chamber of Commerce of the Canton went up the river to Sun Yat on a shooting trip during the latter's stay at Hongkong, he rode on Loy Yee's train, and at a station the proud engineer recognized Chairman and referred to the old days on the Coptic and he chuckled as he climbed back into the cab. "Velly fine longman, makes plenty speed," he said. And he opened her up to a forty-mile clip.

WEALTHY YOUNG SCOT IS MISS'

Had Been Visiting
Alameda
on the 1

REGENTS TO CONSIDER RETIREMENT LAW.

Obligatory Pensioning of University Professors May Be Revoked.

The monthly meeting of the Regents of the University of California was held yesterday at the Mark Hopkins Institute. President Benjamin Ide Wheeler, Dr. C. N. Ellsworth, Harry McQuinn, E. W. Bohmann, J. A. Hillman, H. J. Tansie and J. B. Reischle were present.

Harry McQuinn proposed an amendment to article IV of the order which, if adopted, will make it optional with the Board whether a professor after twenty years of service at the University and in years of age shall be retired on a pension. At present such action is obligatory.

The financial transaction for the month were reviewed. Total disbursements for January were \$9,400, 1904 amounting to \$10,350 were ordered paid.

The resignation of E. H. Tibbels, assistant in civil engineering, was accepted, and E. A. Ellicott was appointed to succeed him. Other appointments were made and the Board adjourned till March 10th.

TWO MEN BADLY BURNED BY PREMATURE BLAST.

PHOTOGRAPH BY THE APPEAL

Pharmaceutical
Feb 1, 1905

Most Convenient Method Regarding Their Recollections of the Day of Election.

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Junior Murphy pertinently inquired why Steffens, who had testified that he was at the polls all day distributing posters, had not found an opportunity to vote earlier. Steffens replied that he had not thought of it.

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A CONVENIENT WITNESS.

W. H. Podd, one of the administration's election officers and who was discredited with the jury at the Wyman trial, was called in the defense of Steffens. "Not to my knowledge" and "I don't recall" were the stock answers of this witness. He said that he did not see Steffens vote the name of Crew, and if the defendant had voted that name he would have known it.

When cross-examined by the District Attorney, Podd could "not recall" having given Charles Wyman three ballots to vote any name, then he could Steffens having voted Crew. The defense has claimed that Steffens was away from the voting booth between 4 and 4:30 P. M. This means that the witness placed the defendant in the booth and voting at between 4 and 5, and his "best recollection" was "from 4 to 5," which is the time Steffens voted the name of Crew. Podd is one of the heads of the administration, who was around on a legitimate election officer, and an important Republican ticket.

When H. C. Young, another of the administration's corrupt politicians, was also an election officer in the Wyman trial, he was appointed as a Democrat and he did not see Steffens vote Crew's name. He was brought out on the cross-examination by the defense that this witness had not done any work at his time of carrying since the crimes of Wyman and Blodgett were



Adolph Steffens, Who Is on Trial for Election Frauds.

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Garret McEhorney proposed an amendment to article 14 of the order, which, if adopted, will make it optional with the Board whether a professor after twenty years of service at the University and 50 years of age shall be obliged to retire. At present such action is obligatory.

The financial transactions for the month were reviewed. Total disbursements for January were \$11,190, bills amounting to \$16,500 were ordered paid.

The resignation of L. H. Tibbels as assistant to chief engineer, was accepted, and E. A. Tibbels was appointed to succeed him. Other appointments were made, and the Board adjourned till March 10th.

TWO MEN BADLY BURNED BY PREMATURE BLAST.

The effort of a workman to widen the hole in a can of powder with the handle of a pickaxe resulted yesterday morning in the removal of two men to the Park Emergency Hospital for treatment. They were James L. O'Leary of 144 Twentieth street, a dealer and powder man, and Michael Chackley. They were treated by Dr. Miller and taken to service homes at the hospital and home.

EXONERATE MASTERS.

Local Steamboat Inspectors Holles and Bulger yesterday exonerated from all blame the masters of the steamer Grace Padua and St. Helena which collided off Longbeach-street wharf at 2:15 A. M. December 15, 1904. In this collision the St. Helena was so badly damaged that she had to be run ashore at the foot of Second street.

uncovered. When not "on the case" he went duck shooting. The witness and Stillman, another administration election officer, both swore at the trial of Wyman that they were the same of S. H. Moon in the poll list. Yesterday, however, when shown the books, and that he might have written it and he might not. This caused J. H. Hixford to exclaim "Do you not know your own handwriting?" The witness was not moved in the least by this, and held on "not recollecting" in the end.

When Hixford

WEALTHY YOUNG SCOT IS MISS

Had Been Visiting Alameda on the I



Princess Hectis

Same Hand Wrote Both Names On Book at the Polls

C. A. C. A. A.
Crew Crew
1615 56

Lyon Lyon

St. St. Lyon

Rep. Rep.

FRAUDULENT NAME
ON ELECTION ROSTER

SAYS STEFFENS WROTE SIGNATURE

Expert Shows How the Writing
on Register Compares With
Defendant's Chirography.

FOR A brief space yesterday it looked as though the prosecution in the trial of Ballot-Box Stuffer Adolph Steffens had knocked one of the strong supports out from under its case. It had been contended that Steffens, after he was indicted by the Grand Jury, suddenly left the city and remained a fugitive from justice until he was arrested in Los Angeles and brought back to this city by Detective Taylor. The detective yesterday testified that Steffens told him he left San Francisco before he was indicted.

J. W. McCarthy, the secretary of the Fire Commission, was called as a witness a little later, and showed by the records of that department that Steffens got a leave of absence on the same day he was indicted. The record showed that Steffens was appointed to a hook-and-ladder company September 23, 1904. One week later, September 30th, the day on which the fireman was indicted, he secured a leave of absence for ninety days. This leave was subsequently extended for another ninety days.

Theodore Kyika, the handwriting expert, positively identified the forged signature and address, "C. A. Crew, 1615 Lyon street, Rep.," as having been written by Steffens. The expert was shown some admitted writings of the defendant, and after comparing them with the forged entry on the roster declared, "They were written by one and the same hand." Kyika explained the reasons for his conclusion by reference to some enlargements of the different specimens of defendant's handwriting, shown on a large screen.

Kyika was examined at great and monotonous length by lawyer O'Grady. So tedious did this proceeding become that Junior Rixford emitted something like a moan as he asked, "Your honor, do we have to sit and listen to all this?"

William Louch, a laborer, living at 1326 1/2 Lyon street, testified that he voted at the Bush and Market street booth five or ten minutes before 5 o'clock. He would not state that he saw Steffens there at that time. About twenty minutes later he met Steffens and another man, and they asked him to go back and identify his ballot. This there was one ballot missing. The witness did. Steffens fraudulently voted the name of Crew about 6 P. M., and cast his own ballot about 6 o'clock.

According to his affidavit of registration Charles H. Roell was registered by Steffens, who at that time was a deputy in the registration office. Roell admitted that the same person who filled out the paper in his name also filled out the paper in his name, but he denied every attempt to force him to identify Steffens as that person. The witness said that the deputy misapprehended his name and corrected it. This correction, in Steffens' handwriting, is upon the paper. The purpose of this line of inquiry was to identify the handwriting of Steffens, that it might be used by the expert as an example. Taylor told the story of

FIGURATIVELY GOES TO JAIL

CHARLES BILLY, a plumber, or by trade and a kicker in his profession, is in the town jail of Mill Valley by a decision of the jury, having returned to take the 25 end of his sentence for violating the ordinance against running a shop without a license. But as a matter of fact, he is as free as any plumber in the State, the "valuable" having been found to be in a condition until the human habitation Marshal Staples accordingly decided that Billy might be considered constructively in jail for the next twenty-five days.



STEFFENS UNDISPUTED
WRITING

Handwriting Expert Theodore Kyika Explaining to the Jury the Characteristics of the Writing of Adolph Steffens, the Ballot-Box Stuffer—Expert Kyika Testified That the Forged Name of "C. A. Crew, 1615 Lyon St., Rep.," on the Precinct Roster Was Placed There by Defendant Steffens.

Chronicle
Feb 24 - 1905

NDAY, FEBRUARY 25.

NURSE TESTIFIES IN COLLINS TRIAL

Says That Charlotta Was in
Charge of House and That
Children Called Her Mamma

HAS DODGED SUBPOENA
FOR OVER TWO MONTHS

Evidence Is All In and the
Prosecution Considers Its
Case Stronger Than on First
Trial—Argument Monday.

The evidence in the second trial of George D. Collins, charged with perjury, is all in and the argument will begin tomorrow morning at 10 o'clock. The prosecution closed its evidence in rebuttal yesterday morning with the taking of the testimony of a witness whose presence was a surprise to Collins. She was Mrs. A. M. Zuboff, a trained nurse, who was called to Collins' house to attend the child Susan in her last illness, and immediately thereafter she attended Agnes Newman in her illness that ended in death.

Owing to the gravity of the case, Mrs. Zuboff has been successfully dodging service of a subpoena since early last December; but the detectives followed her so persistently that she was in danger of a nervous breakdown, and, acting on the advice of relatives, she called at the office of District Attorney Langdon prepared to go on the stand.

Mrs. Zuboff testified that during the illness of Agnes, Collins had called her aside and told her that Agnes was a married woman, the wife of his brother, who was then away from home. She testified that, during the time she was at the Collins home, Mrs. Charlotta Collins was in charge of the household; that the children called her mamma and Collins papa in the presence of Agnes Newman. The witness said she had addressed Charlotta as Mrs. Collins in the presence of Collins. She said she had met Collins afterward on the street after the death of Agnes, and when she asked after his wife and children he always responded and had never suggested that his wife was dead.

Mrs. M. V. Collins, stenographer for the Grand Jury, testified that she took Collins' statement, made voluntarily to former District Attorney Byington, and in that statement he had made no reference to a contract marriage with Agnes Newman. She was corroborated by Byington.

Mrs. Josephine Angell testified that in 1901 she had advertised for a position, and received a card from Collins requesting her to call at his office. She had asked him how many there were in his family and he had replied, "Five, my wife, three children and my sister-in-law, Florence." Mrs. Angell remained in the Collins household until 1902, and when she left bade Collins good-by in the house.

The telegram sent by Collins from Kansas City to "Mrs. C. Collins" in this city saying that he was on his way to Washington, and would return in ten days, was admitted in evidence, although Collins fought hard to keep it out. It was ruled out in the former trial. The address is considered strong evidence by the prosecution.

William Barlow and about twenty others were in attendance to testify that they were residents of the neighborhood in which Collins and the Newman family lived; that it was a matter of general repute that Collins had married Charlotta, and that none had ever heard it suggested that he had married Agnes. The testimony was ruled out as not rebuttal.

Theodore Kyika, the handwriting expert, has prepared enlarged photographic reproductions of the marriage license, the marriage certificate, the page of the parish register on which the memorandum of the marriage was entered and the municipal marriage memorial. These will be used by the prosecution in illustrating his argument.

For Collins Deputy Sheriff J. J. Ryan testified that he could not find Jacob Meyer, Collins' former clerk, and that the subpoena remained unexecuted. Collins pleaded for a continuance until Meyer could be found, but it was denied. Collins expects Meyer to testify that Collins had introduced Agnes as his wife. If Meyer is located by Monday morning he will be permitted to take the stand. The prosecution considers that it has made out a strong case.

Says That Charlotta Was in Charge of House and That Children Called Her Mamma

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1615 56
Lyon Lyon

St. St. Lyon
Rep. Rep.
B. b. a.

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Detective Taylor told the story of his having gone to Los Angeles where Steffens had been working as a butcher, under the name of Adolph Schultze, and bringing the defendant to this city. The detective identified writings of the defendant as having been made in his presence. These writings were used by the expert.

George Adler identified his affidavit of registration as having been made out by Steffens, thereby furnishing another example of the defendant's handwriting.

A deposition by Alfred Goetz, one of the administration's sample election officers, was read in the jury, the affiant being sick. Goetz admitted having placed the number of the ballot that was fraudulently voted in the name of Crew, on the affidavit of Crew's registration and also marking that paper "void," but there his information ended. He would not say that either Crew or Steffens voted the ballot.

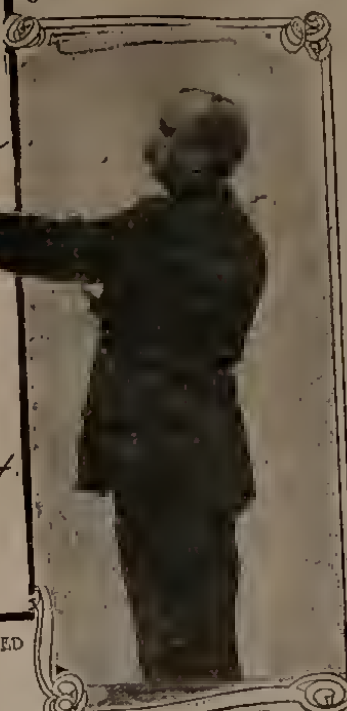
William H. Kennedy, a grocer, and William Schultze, a butcher, knew Steffens a good character.

The trial will be resumed this morning.

STEFFENS UNDISPUTED WRITING

Handwriting Expert Theodore Kyika Explaining to the Jury the Characteristics of the Writing of Adolph Steffens, the Ballot-Box Stuffer—Expert Testified That the Forged Name of "C. A. Crew, 1615 Lyon St., Rep." on the Precinct Roster Was Placed There by Defendant Steffens.

Examination
Feb 14 - 1905



John C. in B. & O. car, May 11 - 1917



1917

May 1897



June 1897
Studio



July 1897



Aug. 1897
F. S. S. Co.

PACIFIC COAST FOREST, FISH AND GAME ASSOCIATION

WM. GREER HARRISON, President

JAMES D. PHELAN, Vice-President

IGNATZ STEINHART, Treasurer

W. de ST. PAUL SEITZ, Secretary

REGISTERED TELEPHONIC ADDRESS "GAMEFISH"
TELEPHONE MAIN 8728



OFFICES: 37-39 PHELAN BUILDING
(SECOND FLOOR)

SAN FRANCISCO, CAL., February 1, 1905.

FIRST INTERNATIONAL FORESTRY, FISH AND GAME EXHIBITION

Group F.—ART ASSOCIATED WITH FORESTRY, FISH, GAME AND COGNATE SUBJECTS

HONORARY CHAIRMAN: James D. Phelan

EXECUTIVE CHAIRMAN: Theodore Kytka

Henry Raschen, Wm. Hubacek,

J. M. Gamble, A. Putnam.

(1) The Exhibition will open in the Art Gallery, Mechanics' Pavilion, San Francisco, on April 1, 1905 and will last until April 15, inclusive. It will include Oil Paintings, Sculpture, Water Colors, Pastels, Black and White, Sketches and Photographs.

(2) Exhibits will be received from Friday March 24, to Tuesday March 28, but none will be collected after 6 p. m. of the latter date. Pictures within the city limits will be sent for by the Association as follows:

Studios situated on Market Street and south of Market Street,	- - -	Friday, March 24.
West of Powell and north of Market,	- - -	Saturday, March 25.
East of Powell and north of Market	- - -	Monday, March 27.

Artists wishing to avail themselves of this service must have their pictures ready for delivery on the dates specified as they will not be sent for more than once.

Every picture will be returned to the Exhibitor in a similar manner.

(3) Every work of exhibition must be submitted to a duly appointed jury for a decision as to its acceptance or rejection. The hanging and placing of all exhibited works will be under the exclusive control of this jury and no changes will be made in the arrangement, nor can any work be withdrawn before the final closing of the Exhibition.

(4) Pictures and Frames must in all cases be sent together; any kind of Dark or Gold Frame will be permitted. Owing to the great risk of handling them, pictures which have glass over them, must be so arranged that the glass is placed in the frame and not in the shadow box.

(5) The list of works submitted for exhibition, with other particulars, and their sale price, must be set forth on the blank form furnished for the purpose and sent to the Secretary on or before March 15.

A legibly written card bearing the title, name of artist and owner must be securely attached to each exhibit.

(6) All works will be received only at the owner's risk while in transit and on exhibition.

(7) Artist Exhibitors will be admitted to the gallery on Wednesday, March 29, for the purpose of varnishing their pictures.

(8) Each Exhibitor will be presented with an individual season ticket. The reception for Associate Members and their friends will take place on the evening of March 31.

(9) No charge will be made for entering pictures or objects of art, but 10% (ten per cent) will be deducted from all pictures sold during the Exhibition.

Immediate attention is requested.

T. KYTKA

Executive Chairman Art Committee





JANUARY 14, 1904.

FORGED POISON ORDER WRITTEN BY MRS. BOWERS



Arsenic
McLaughlin
M.D.

Cing. Arsenic Arsenic
Arsenic Arsenic Cing &
Arsenic Harry
Martin L. McLaughlin McLa
My. wasent McLaughlin can
Dear McLaughlin M.D.
Martin Darling
Francisco Sister
March 3d Mrs M. I. Bowers.

Exemplars in the Bowers case prepared by Expert Kytko. The writing in the upper part of the photo the forged order for arsenic. The writing below the line is a specimen of Mrs. Bowers' writing.

RUMBLE SENT TO SAN QUENTIN

C. W. Rumble, the promoter of the Sunset Mining Company, whose meteoric financial career brought him into conflict with the laws of the United States for hiding the use of the mails for address-fraud, was yesterday taken to San Quentin, where he will be incarcerated for the next year and a half. There is also a fine of \$500 which Rumble has to pay, and to mention a judgment of some \$200,000 obtained against him in the State courts.

On Monday Rumble appealed to the United States Circuit Court of Appeals to grant a stay of the judgment of the District Court but was unable to secure favorable action. He recently filed a petition in bankruptcy, and claims that he is penniless. But his creditors believe that he has \$100,000 cached somewhere within easy reach when he has served his term.

Rumble returned last week from Washington, where he went without leave, to the great worry of his bondsmen, for the purpose of inducing the President to intercede in his behalf. Finding every loophole closed he said yesterday that he was anxious to get to San Quentin, the sooner to have his sentence over with.

AND COLLEGE.

Day Occupied With Showing How Arsenic Was Obtained.

THE ALLEGED prescription calling for arsenic and bearing the signature "McLaughlin, M. D.", the fact that it was not in the handwriting of Dr. McLaughlin, and according to the testimony of handwriting experts, was that of the defendant, formed the center of interest in the trial of Mrs. Maegha E. Bowers yesterday for the murder of her husband, Martin L. Bowers. This was the piece of paper which Drug Clerk J. C. Peterson testified was brought to him one night before the death of Bowers. He was employed in a store at Fifth and Polson streets, and is positive in his identification of Mrs. Sutton, the sister of the accused, and the prescription, which did not call for any specific amount of poison, and which he filled on his own responsibility.

When Mrs. Bowers was first arrested Chief of Police Williamson, having talked with Peterson, called the accused to his office and had her write words containing the same letters as those on the prescription, and at last wrote "Arsenic" and "McLaughlin, M. D." several times. These, with the prescription itself, furnished the material for demonstrations made by Theodore Kytko, the handwriting expert, before the Court and jury yesterday.

He stated positively that the hand-

writing on the order on which the arsenic was procured—the so-called prescription and that on the slip that were identified by Chief Williamson as written by Mrs. Bowers in his office were of the same person. With photographic reproductions greatly enlarged he demonstrated to the jury the points of resemblance between the known handwriting of the accused and that on the prescription. The resemblance was so striking in the enlarged reproductions that it seemed hardly necessary for Kytko to call the jury's attention to it, and he so suggested.

He was followed by Expert Elsenachmidt, who brought out the same points of resemblance in enlarged reproductions and by testimony.

Mrs. Sallie Bowers, the sister-in-law of the dead man, testified to her visits to Bowers while he was ill and of his condition and the treatment which was accorded him by his wife. She also told of meeting Lurvey, the alleged "man in the case," and of the conduct of Mrs. Bowers, the accused, toward him. A saloon-keeper and other witnesses told of having seen Mrs. Bowers and Lurvey drinking together on many occasions, and detailed the demeanor of the defendant as they noticed it at the time.

An adjournment was taken until this morning, when the prosecution will call its few remaining witnesses, the most important of whom being Lurvey himself.

THE SAN FRANCISCO EXAMINER

D ALAMEDA COUNTY BE

SAY WILL HUSBAND SUBMITS WAS NOT EXECUTED BY WIFE

PHOTOGRAPHS OF THE LATE MRS. JAMES NELSON, HER BROTHER, WILLIAM H. HILDEBRANDT, AND SISTER, MRS. ANNA GERCHA SHIPLEY. THE LATTER ARE PROTESTING AGAINST ADMISSION TO PROBATE OF A DOCUMENT FILED IN COURT BY JAMES NELSON, WHICH LEAVES THE ENTIRE ESTATE OF HIS WIFE TO HIM.

MRS. ANNA GERCHA SHIPLEY.

WILLIAM H. HILDEBRANDT.

MRS. JAMES NELSON (DECEASED).



TESTAMENT GIVES ALL HER ESTATE TO HIM

Brother and Sister of the Late Mrs. Nelson Protest Against Probate of Document Which Has Been Offered by Nelson.

OAKLAND, May 26.—William H. Hildebrandt and Mrs. Anna Gercha Shipley began today to not only the will of their sister, Mrs. James Nelson, who recently died at the family home in Alameda, leaving to her husband, to whom she had been married but a few weeks, her entire interests in an estate of \$250,000 left by her mother. It is alleged by the contestants that the instrument filed as the testamentary will of their sister was not written by her and that it should not be admitted to probate.

The will was filed April 25th by James Nelson, who at the same time made application to the Superior Court for letters of administration. In the will supposed to have been executed by his wife, Nelson is the sole heir to her entire interests in her mother's estate, amounting to about \$250,000. The couple had been married but a short time before Mrs. Nelson died. It is alleged by Hildebrandt and Mrs. Shipley that the will purporting to have been written, dated and signed by their sister on February 13, 1904, and which was filed by James Nelson as his wife's last will, was not a will of the deceased, and that it was not dated and signed by her.

The Hildebrandt family is one of the oldest and wealthiest German families on this side of the bay. The father, H. Hildebrandt, was one of San Francisco's successful merchants, leaving at the time of his death a number of years ago an estate valued at a quarter of a million dollars. His widow died a year ago leaving her estate to her three children shortly after her death the eldest daughter, Margaretta Hildebrandt, and James Nelson were married. A few weeks after the marriage Mrs. Nelson suffered from an attack of rheumatism of the heart, dying after an illness of a few days.

The family was prominent in Alameda society for many years. Mrs. Anna Shipley was considered one of the prettiest girls in the Pacific city. She was married in 1891 to William Shipley, a number of years ago after a romantic courtship commenced at Skaggs Springs, the same resort where Nelson met his wife some time later.

PACIFIC INDOOR
SHOOTING CLUB

First Annual Program

SAN FRANCISCO, MARCH 1, 1904
GALLERY: 503 MISSION STREET
ALWAYS OPEN

PROGRAM

For the year beginning March 1, 1904,
as adopted by the Pacific Indoor Shooting
Club of San Francisco. Gallery: 593
Mission Street.

CLASSIFICATION MEDALS

Any member is entitled to shoot under
this set of prizes either with revolver, pistol
or rifle. The score consists of 10 targets of
10 shots each to win. The targets need
not be made consecutively. The entry must
be called in each instance and the targets
marked before shooting. The number of
medals which may be won is unlimited.
Fee, 15 cents per target, as set out below,
viz:

RIFLE

(German Ring Target reduced to $\frac{1}{8}$ inch rings.)

GOLD MEDAL: 10 targets, 10 shots each,
15 cents per target. Each target must
count 245 or better.

SILVER MEDAL: 10 targets, 10 shots each,
15 cents per target. Each target must
count 238 or better.

BRONZE MEDAL : 10 targets, 10 shots each,
15 cents per target. Each target must
count 230 or better.

PISTOL AND REVOLVER

(Regular reduced Standard American Target)

GOLD MEDAL : 10 targets, 10 shots each,
15 cents per target. Each target must
count 190 or better.

SILVER MEDAL : 10 targets, 10 shots each,
15 cents per target. Each target must
count 82 or better.

BRONZE MEDAL : 10 targets, 10 shots each,
15 cents per target. Each target must
count 75 or better.

MEMBERS' MONTHLY MEDAL SHOOT

Any member in good standing may shoot two scores on the second Thursday of each month for the annual medals given by the club. These scores are 10 shots each and are free. There are no re-entries in this match, and no member will be eligible to win unless he has shot on at least six different occasions. These medals are given in first, second and third prizes, both for rifle and pistol and revolver (without handicap), as follows :

RIFLE	PISTOL AND REVOLVER
1st Prize, Gold Medal	1st Prize, Gold Medal
2nd Prize, Silver Medal	2nd Prize, Silver Medal
3rd Prize, Bronze Medal	3rd Prize, Bronze Medal

RE-ENTRY SHOOT

Open to all ; rifle, pistol and revolver (no handicap). At the end of this shooting year various prizes will be provided and distributed. The highest ten targets will be taken ; in case of ties, the next best target, and so on, will be taken to decide. Rifle constitutes one class ; pistol and revolver (without handicap) constitute one class. Re-entry is unlimited ; fee, 10 cents per target of 10 shots.

SHOOTING NIGHTS

The second and fourth Thursdays, from 8 p. m. to 12 p. m., of every month are the nights set apart for the regular shoots. On those nights the officials of the club will be present for the purpose of receiving all scores in all events, with the exception of the Members' Monthly Medal Shoot, which will take place only on the second Thursday. Also, on any unoccupied Thursday night, in the presence of any officer of the club and one other member, any member may shoot on the Classification and the Re-entry matches.

At all times during the year, the U. S. R. A. Indoor Classification targets will be on sale. These may be fired upon at any time under U. S. R. A. rules ; 10 cm. in

the presence of two witnesses, one of whom must be an officer of the club, etc. As the club must pay 10 cents for each of these targets, and as there are certain duties which the club must perform, there will be an additional gallery fee of five cents charged for each target.

Throughout the year various team and individual shoots will be conducted both between individuals and club. Tryouts will be held at proper times for the purpose of selecting teams. On account of this and for the honors of the club, the members should make frequent and good use of the gallery.

The gallery is always open for practice. Each member should promptly apply to any of the officers for a key.

The gallery rules apply in all cases. These rules shall be framed to comply with the rules of the United States Revolver Association, and other associations with which the club may affiliate.

OFFICIALS.

F. V. KINGDON, *President*,
21 Crocker Building . . . San Francisco.

GEO. T. FRANK, *Vice-President*,
400 Bidley Street . . . San Francisco.

H. G. CARUPE, *Secretary*,
313 Battery Street . . . San Francisco.

M. KOLANDER, *Treasurer*,
1484 Market Street . . . San Francisco.

GEO. W. HOADLEY, *Shooting Master*,
533 Market Street . . . San Francisco.

J. KULIMAN, *Art. Shooting Master*,
2514 Sacramento Street . . . San Francisco.

W. C. PRICHARD, *Drum Shooting Master*,
1611 Clay Street . . . San Francisco.



RULES AND REGULATIONS
GOVERNING THE
PACIFIC INDOOR SHOOTING
CLUB MATCHES.

GENERAL CONDITIONS

1. Competitors desiring to enter in of the Club Match can, upon paying the entry fee, procure from the Range Secretary the proper target. The shooter must be sure to state for which match he desires the target, and to see that he gets a properly marked target, as the target will count only in the match for which it is mailed.

2. No one but the Shooting Master or one of the Assistants or the Range Secretary or other official present in their absence, shall handle the targets after they have once been shot upon, until after the score has been counted and recorded.

3. If it becomes necessary for any one to go to the targets the Shooting Master shall display a red flag. Shooting must cease until the flag is removed.

4. All questions concerning the rules and the value of shots shall be decided by the Shooting Master.

CLASSIFICATION OF ARMS

A. Any revolver. A revolver of any caliber. Maximum length of barrel, including cylinder, 10 inches. Minimum trigger pull, 2 $\frac{1}{2}$ lbs. Sights may be adjustable, but they must be strictly open, in front of the hammer, and not over 10 inches apart.

B. Any pistol. A pistol of any caliber. Maximum length of barrel, 10 inches. Minimum trigger pull, 2 lbs. Sights may be adjustable, but they must be strictly open, in front of the hammer, and not over 10 inches apart.

C. Any .22 caliber rifle. No restriction as to trigger pull, sights, weight or length of barrel.

LOADING, FIRING, TIMING AND CLIPPING.

In all instances the weapon must not be loaded until the shooter has taken position at the firing point, and within the booth. The barrel must always be kept pointed towards the target. In case of an accidental discharge, or of defective ammunition, if the bullet comes out of the barrel it will be

scored a shot. In all instances of the shooter retiring from the firing booth, the cartridge chamber must be unloaded. In rapid-fire matches timing shall be done by a shooting master; in their absence by an appointee of the ranking official present.

POSITION

The position shall be standing, free from any support. In pistol and revolver shooting, the weapon must be held in one hand, with arm extended, so as to be free from the body.

TRIGGER-PULL

The trigger-pull as specified in the various events shall be determined by a test weight equal to the minimum pull, applied at a point $\frac{1}{8}$ of an inch from the end of the trigger.

TARGETS

For pistol and revolver the reduced Standard American for 20 yards, for rifle, the German ring target, reduced so that the center is $\frac{1}{2}$ inch in diameter, and the rings $\frac{1}{4}$ inch broad. The black shall cover the 22 ring. All matches of 10 shots or over must be shot on one target for each fire shots. All targets are furnished but the one fee. The aggregate target counts as one.

MARKING AND SCORING

In all matches new paper targets shall be furnished for each competitor. The shot holes in all cases to remain uncovered and left as shot. Bullets touching, or within a line on the target, are to be scored the count of that line. The eye alone shall determine whether a bullet touches a line or not.

TIES

Ties shall be decided according to Creedmore rules.

PROTESTS

Any person who believes that an injustice has been done, or who differs from the decision of any authorized executive officer of the club, may enter a protest on depositing \$1.00 with the secretary, or in his absence with any official present. Such protest must be in writing and must be made within 24 hours after the incident on which it is based, and be handed to the executive officer of the club. All protests will be investigated and passed upon by the executive committee, and if sustained the protest fee will be returned, otherwise it will be forfeited.

MISFIRE

Misfires must be preserved and removed from the gallery.

COMPLETE SCORES

The shooter must fire a complete score before the target is drawn up, and the shooting master must remove the target from the hook and give the shooter a receipt stating the number of the target and the value of the score. No one but the shooting master will draw up and send down the targets.

CONDUCT

Loud talking and other conduct calculated to disturb a shooter is prohibited in the vicinity of the booths.

EXCESS SHOTS

Targets containing more than the requisite number of bullet holes will be rejected.

RECORDS

The foregoing rules and regulations, and the conditions governing club matches, must in all cases be observed and followed.

Scores for records must be shot on one of the club matches, and must be completed during the hours of the club shoot.

The record score shall begin with the first shot after the shooter has announced his intention to shoot for record; only the first 10 shots will apply to the 10 shot record, the first 20 shots to the 20 shot record, and so on to 30 or 400 shots, as the shooter may desire.

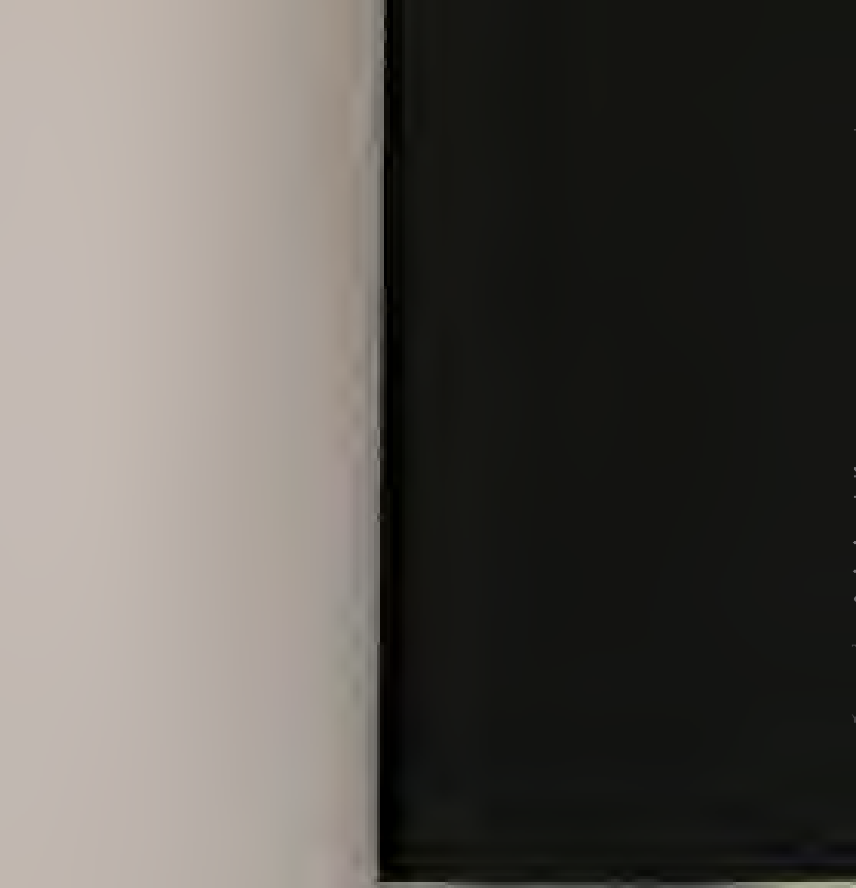
AMMUNITION

- A. Pistol and rifle: any ammunition.
- B. Revolver: to be of lower power, known as gallery ammunition.

AMENDMENTS

These rules may be revised at any time. Notice to be sent to each member and posted in the gallery.





 flying into the camera pines. During the controversy, declared that "I have never relied at any time on the legal authority to support his contention."`

Yes, and his underling is not a fact that you and Becker and pointed up his forgery with a brutal and

This week at Patton's Retiring Sale, for both men and women, one hundred new overcoats with full lining, edge and collar, either lined with fur or camel hair, are offered at a special price of \$20.00, also price \$25.00.

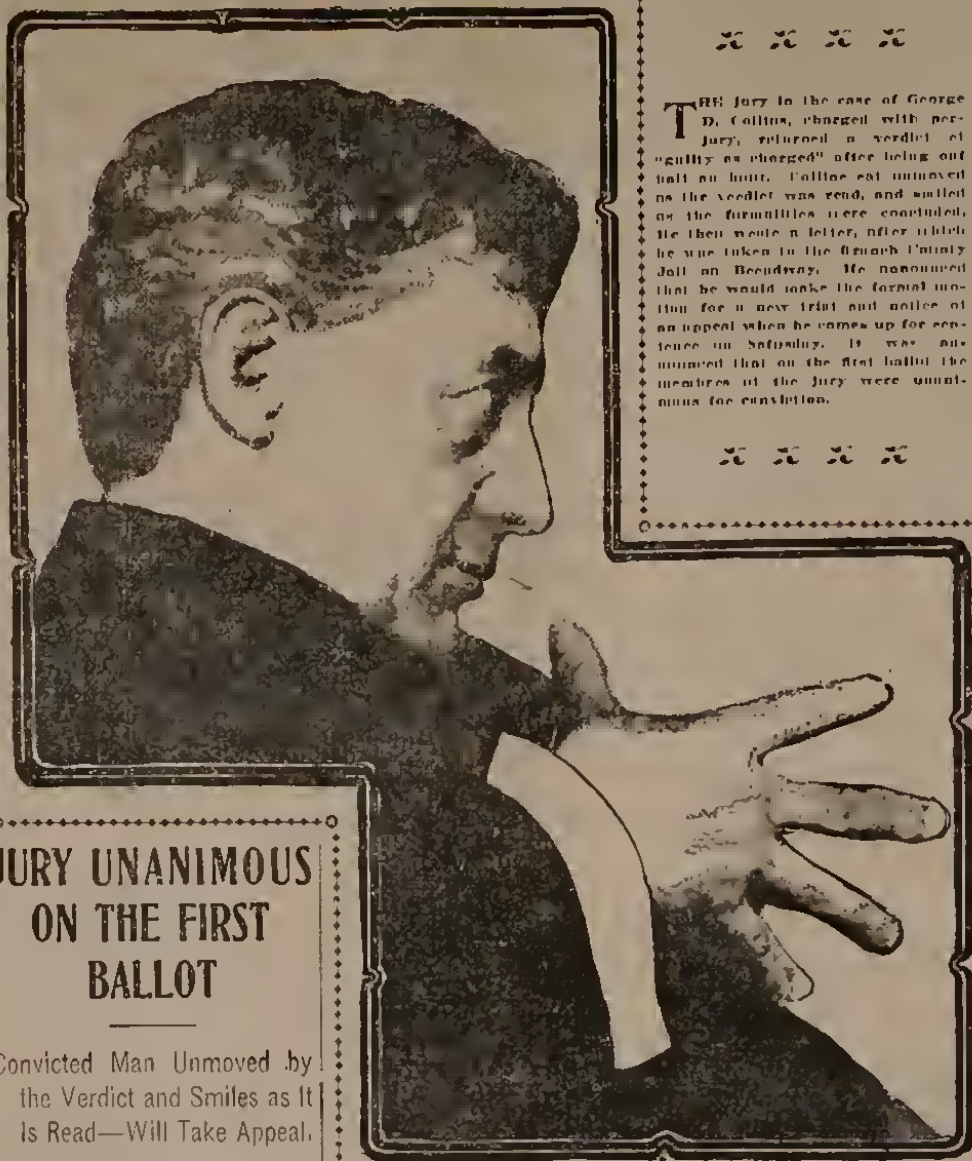
Trunks and Valises.
Everything that is very good and moderate in price is in trunks and valises, dress suit and traveling sets now in stock. Labeled in accordance with name, **Gibbert, Bell & Co.,** Blackett street.

really received nothing for their service but a host of rebuffs and quarrels. The men, who had been assured that they would be furnished with a large amount of land, and that they would be able to work it as they pleased, were disappointed to find that the land was not theirs, but was to be divided among the men who had been promised it. The men who had been promised the land were disappointed to find that the land was not theirs, but was to be divided among the men who had been promised it. The men who had been promised the land were disappointed to find that the land was not theirs, but was to be divided among the men who had been promised it.

In the Land office which I can-
vass I told him this and he
said that he was not going to
get liable for his share of the
fee is only connected with the
actual sale.

positive testimony! And after all, to put him in a different neck is to encourage the near future, and a trial for a long time, but there is no doubt that there is a number of

GEORGE D. COLLINS FOUND GUILTY COAL DISCOVERED ON CHARGE OF PERJURY AT THE BASE OF TWIN PEAKS



JURY UNANIMOUS ON THE FIRST BALLOT

Convicted Man Unmoved by
the Verdict and Smiles as It
Is Read—Will Take Appeal.

"GUILTY as charged." And after all it came as a surprise, at the end, George D. Collins was entrapped at last. No man in the courtroom when the jury returned its verdict at 5:30 o'clock yesterday afternoon showed the first sign of sympathy. Collins himself was unmoved. He fought to the end with all his courage and cunning, and when the blow fell he smiled. There had been a feeling that had grown to a conviction that the story of the last trial would be repeated, and that when it was over it would be found that one juror had been reached by the defense and in some way influenced to believe the word of Collins against twenty-three living witnesses and all the records. But when William Johnson had finished his speech to the jury, when the jury had been moved to tears by his words, there was a belief that the verdict would be decisive. The crowd in the courtroom was larger than at any time at the former trial, but there was perfect order. An almost deathly silence ruled during the argument of Johnson and the charge of Judge Burnett.

OUT HALF AN HOUR.

The jury was out only half an hour, and it is understood that the first formal ballot was unanimous. After the trial was over Johnson said: "The credit belongs to District Attorney Langdon, who, by his painstaking effort, made the result possible." Judge Burnett said: "Johnson's speech was the finest I have ever listened to in a courtroom."

Collins was allowed to stay in the courtroom to write a letter before being taken to the Broadway Jail. He said that he would make the usual motion for a new trial and for an appeal. Next Saturday is set as the day for promulgating sentence. The penalty for perjury is confinement in the State prison for two years in four years, and the sentence carries with it dishonor.

Throughout the entire trial there

George D. Collins, Whose Second Trial for Perjury Growing Out of the Bigamy Charge Against Him Resulted in Conviction by a Jury.

was no appearance of Marie McCurdy and her mother at the defendant's side at the counsel table. At the last trial she was present at every session. What effect the verdict, which, in effect, annuls the marriage to Charlotte Collins, will have on her union with Collins is a matter to be determined elsewhere.

JOHNSON'S ARGUMENT.

It was admitted by all who heard it that the argument which was delivered by William Johnson was one of the most effective appeals that has been heard in the courts of the State. He spoke in plain and simple language.

"I do not care if any juror here, up to this moment, expected to decide his verdict. I demand now that you be not retained to your oath. There must be a case presented in my jury or any court that was an absolutely pure. There can be no reason why you should do your duty except one and I beg of you to let that one be torn from you."

At the only time he was convicted these past ten years that you have seen day after day to that look, while the man that has married twice and who has the advantage of an education goes back. What you could hear him as well as these hundreded times. At the same time all the minds and hearts were turned to him.

I must be located in a dreadful condition, but in a few years the thing of which I shall be most proud will be that I assisted at the prosecution of this man, George D. Collins, the most guilty man that has ever been brought into this court.

When Collins and McElke were talking yesterday afternoon I listened to a man for two hours who said to me: "Collins. They abused her, they violated her, they deceived her. What a lie on humanity, she was! It was all in his home, mark you, but now when the lie is exposed to him, the Adam of old he cries: 'Look at the woman!' She did it!" And what was her sin, it was? It was only that she refused to let him know that she had been deceived when she should have denounced him. Why have her out and let me guess? Do you realize that this woman whom he deceived forty-five minutes by the clock is the woman whom he married when she came to death un-

THE jury in the case of George D. Collins, charged with perjury, returned a verdict of "guilty as charged" after being out half an hour. Collins sat unmoved as the verdict was read, and smiled as the formalities were concluded. He then wrote a letter, after which he was taken to the Broadway Jail on Wednesday. He announced that he would make the formal motion for a new trial and notice of an appeal when he comes up for sentence on Saturday. It was announced that on the first ballot the members of the jury were unanimous for conviction.

THE jury in the case of George D. Collins, charged with perjury, returned a verdict of "guilty as charged" after being out half an hour. Collins sat unmoved as the verdict was read, and smiled as the formalities were concluded. He then wrote a letter, after which he was taken to the Broadway Jail on Wednesday. He announced that he would make the formal motion for a new trial and notice of an appeal when he comes up for sentence on Saturday. It was announced that on the first ballot the members of the jury were unanimous for conviction.

him, because he is the rankest coward that ever faced a jury, and because he is afraid of what that woman would have said. He is the man it was in his home these things occurred. He was the best of his twelve years.

THINGS HE COULD NOT EXPLAIN.

He couldn't explain the telegram, and so he did what he has done 500 times in this case, committed I say his own language—often incoherent, and said he did not read it. You saw the telegram in court. Start with that and remember that he is willing to commit perjury, that he does not hesitate to commit perjury, and that he has committed perjury on this stand. He denied his country when he fled to Canada, he denied his wife, he has denied his children, and he denied his God when he testified and swore to a lie in this court last December.

He talks about the unreliability of documents. Documents haven't looked long to you to explain to you a lie. Documents haven't looked at in this witness chair and didn't save to one thing when they know the other is the truth.

Do you ask what George D. Collins was doing when Agnes Newman was dying? He was leaving his wife and came in a little back book of the Alameda Bank and the name she carried was Agnes M. Newman, and it was a deposit that had been made since 1880, and during the time of this supposed marriage. What, then, he swears at the story of the romantic marriage?

His argument yesterday was, "Don't forget me, because I have been such a beast that no one can believe it. I haven't you seen that he is unrepentant and unrepentantly unrepentant?"

Did he ever tell any one of that contract marriage which he had entered into in Canada and was where he thought it he could not be killed?

IF ACQUITTED, WOULD YOU REMARRAGE?

If any man of you is going to vote for an acquittal, do it, but in the first place you give your reason for it. You say you have to let him go. Well, I tell you why he does it. Look at those records. Does that tell you that solemn moment, and this man tell the truth? Please don't a man of you that believe it. When those children took the stand his face and hand as well as his feet, I could not see a movement in his face. What manner of man is this gentleman? All tenderness and love seem to be in him. There isn't a man out of that feeling for child or wife or baby that there is in the

Quarrymen Tap Vein of Bituminous Substance That Resembles and Burns Like Coal

Coal has been discovered in San Francisco. The discovery was made at the base of Twin Peaks, on the property of Shamus & Sons, quarrymen and brickmakers, located at the junction of the old road and Falmouth avenue, and within a stone's throw of the State monument on Claremont Heights.

The quarrymen, when blasting rock in the quarry, discovered a small ledge of bituminous substance that resembled coal, and when placed to the stone of a neighbor, burned readily. Quickly the quarrymen took wings that a large quantity of coal had been discovered at the quarry, and estimates of the quantity taken out by workers ranged all the way from a large chunk that a small boy carried home to his mother in forty tons.

Three years ago workmen employed by the Spring Valley Water Company struck a ledge of lignite coal, the northeast peak of the hills above the quarry, and some amateur prospectors drove a tunnel into the hill, following the vein, but it petered out and work ceased.

In November, 1891, gold was reported found in a tunnel at the brow of Claremont Heights, and intense excitement prevailed for a time. Hundreds of people gathered at the tunnel and all wanted specimens. Soon every ledge of lignite rock in sight at the mouth of the tunnel was carried away by the eager gold-seekers. Nothing was found of the mine and traces of gold were present.

In the year 1892, John Zachary, a mining engineer, filed a claim to the County Recorder's office, with notice of location of a manganese deposit on the northern slope of Twin Peaks. Some manganese was taken from the claim, but only in small quantities.

It is understood that an effort will be made by the owners of the property to develop the vein, or that there is coal present in sufficient quantity to justify sinking a shaft.

MADAME GADSKI TO GIVE FAREWELL CONCERT.

Manager Will Greenbaum will present Mme. Gadski for a farewell concert next Sunday afternoon at 7:30 o'clock at the Todd Opera-house. Seats will be ready for this occasion tomorrow morning at Sherman's and at the store. The program will include all the best of her art, and the entire scene from the first act of "Tosca" and "Bohème" besides German classical songs and modern songs, including "Beloved, It Is Mine," formerly heard and repeated by tenors Frank La Force will be at the piano.

WHEELS OF CABLE CAR RUN OVER GATELY'S LEG.

When T. F. Gately, a machanic, who lives at 443 Bush street, attempted to board a car on Sutter street, between Steiner and Fillmore streets, at 5 o'clock Monday morning, he missed his footing and fell between the car and the wheels. The wheels passed over his left leg, fracturing the bones in two places. He received temporary aid at a nearby drug store, and was then taken to the Lane Hospital.

SUTRO DISCUSSES WRITING.

Attorney Oscar Sutro spoke for four hours in Judge Ketchum's court yesterday, making an argument on behalf of the proponents of the proposed codified to Samuel Davis' will. Sutro devoted his attention exclusively to the testimony of the handwriting experts. He went over all the features of Davis' writing to show that the codified was his handwriting. Today Garret W. McIntirey will review the evidence for the proponents, and tomorrow T. C. Van Ness is to close for the contestants.

SEBASTIAN IS PROMOTED.

As a result of the recent meeting of the Berk Island and Frisco steamer, a disaster has made it impossible for the jurisdiction of John Sebastian to the St. Louis and San Francisco road. Sebastian, who presides over the passenger affairs of the Berk Island and Frisco, with the title of passenger traffic manager, will henceforth exercise similar jurisdiction over the Frisco system.

IN GENERAL DEMAND.

Significant of the consumption of champagne in this country is the quick appreciation of value pertaining which bears Adet & Chandon champagne at the head of the list of importations to the United States. Last year there were brought into the port of New York 29,381 cases of Adet & Chandon champagne, which amount to over 50 per cent greater than the importations of the brand second on the list as shown by the custom-house statistics. Adet & Chandon "White Seal" champagne 1900, is selected for exportation exclusively at the prominent French house, and the large reserve of this brand alone serves to maintain the popular demand for it.

Convicted Man Unmoved by
the Verdict and Smiles as It
Is Read—Will Take Appeal.

last. No man in the courtroom when the jury returned its verdict at 5.30 o'clock yesterday afternoon showed the first sign of sympathy. "Allan" himself was unmoved. He fought to the end with all his courage and cunning, and when the blow fell he smiled.

OUT HALF AN HOUR.

Collins was allowed to stay in the courtroom to write a letter before being taken to the Broadway Jail. He said that he would make the usual motions for a new trial and for an appeal. Next Saturday is set as the day for pronouncing sentence. The penalty for perjury is confinement in the State prison for from one to fourteen years, and the sentence carries with it disbarment.

Throughout the entire trial there

was no appearance of Claire Mc-
Curdy and her mother at the defend-
ant's side at the marital table. At the
last trial she was present at every
session. What effect the verdict—
which, in effect, annuls the marriage
to Charlotte Collins—will have on her
union with Collins is a matter to be
determined elsewhere.

It was admitted by all who heard it that this argument which was delivered by William Johnson was one of the most effective appeals that has been heard in the courts of the State. He spoke in part as follows:

I do not care if any juror has up to this moment, reported to violate his conscience, I demand now that you be sworn to your oath. There never was a case presented to any jury of mine which was not absolutely proved. There can be no reason why you should not do your duty except one and I beg of you to let that one be torn from your minds so that you will be convinced that

"Be the only man to be crowned king
post-jointed Britain that you shall
see day after day in that dome, and
the man that has married you and
who has the advantage of education
over thee." "And you would like him
as well as those hand-picked brutes?" As-
jurers all their heads and limbs.
I may be looked upon as a dreadful ex-
ample, but in my proud will be the
subject shall be most proud will be the
subject at the point of view of the
George III. Haller the most guilty crime
that has ever been brought into the

[illegible]

him, because he is the rankst coward that ever lived a jury, and because he is afraid of what that woman would have said? He is the man. It was in his home these things occurred. He was the best of for twelve years.

He couldn't explain the telegram and as he did what he has done too much in the past, committed I suppose his language—rotten language. He just said he did not send it. I saw the telegram in that I was with that and remember that he is willing to commit perjury, that he does not hesitate to commit perjury, and that he has committed perjury in the past. He denied he did this. He said he denied he did this when he said to him, his children, and wife, he has denied when he testified he denied his wife when he testified and to a lie in this court last week.

He talks about the unreliability of documents. Documents haven't forked long enough to proclaim to you a fix. Documents cannot all in the witness stand and glibly swear to one thing when they know the other is the

He did not ask what George D. Collins was doing when Agnes Sexton was dying? He was laying her back of the name in a little bank book of the Liberator Bank and the name assigned was Agnes M. Newman, and I was a deacon then, and the day of the year 1890, and during the time of the marriage. What, then, he purloined the story of the continued marriage."

the argument yesterday was, then, could me, because I have been told a legend that no one can believe in a legend? you say that he is unrepentant and unlikable unreliable? I will be ever tell any one of those contract marriages until he had exposed the holder to shame and loss why he thought his he could not be called

for any man of you is follow
for an acquittal do it, but in the trial
above you give your reason for it. You
that are bound in this way, make him
that you only do so. Look at those
records here that lie, all the
incrimination, and this man of you that
trials. These last children you
welfare. When those children you
the stand his flesh and bone, and

the scene, I could not see a movement
on his face. What manner of man is
he, gentlemen? All tenderness and
kindness died in him. There is but
one thing in his feeling for child or
wife, and that is that there is in the
world of him. You must judge him by his
own standards. Where are the other
things in him that enable the little ones
to trust him, their arms around his
neck, their heads on his breast?

Twenty three living witnesses are
travelling with material objects. Are you
ready to say that they all lie, and that
George D. Sullivan alone speaks the
truth? That three new twenty three
pursuers and also mistakes in the
even and that the defendant alone
tells the truth? Think of it. Two

...speak the truth. We deliberately take the sin
and deny that God, while sin-
ful objects have mistakes in the
all to the detriment of things it re-
flects. My God, do you believe it is
it moment for me to stand here be-
springing and looking about it. I
don't want any man to have a share
to say that he didn't understand. But
that's the only infinite word to it.

THE UNIVERSITY OF CHICAGO PRESS

"This is the little little wedding ring
that you put George Collins in
that you put George Collins in
that little lad of gold with the
exclamation 'I can't see the
difference it with his eyes' in his
eyes that how poor little that was in
the little hand from the finger
in the little Collins That the
little lad of gold that he would take
hand in his cunning that he
would make his wife and
that he would take her to be
of childhood and of those tender
little children
the burden when there

[illegible]

large quantity in net from my
covered in the quality, and estimates
of the quantity taken out by wind,
or re-vented all the way from a large
church that a small boy carried home

Three years ago workmen employed by the Spring Valley Water Company struck a ledge of lignite near the southern peak of the hills above the quarry, and soon afterwards prospectors drove a tunnel into the hill, but before the vein had been reached and work ceased.

and were feared. In November, 1931, gold was reported found in a tunnel at the brow of Merendun Heights, and intense excitement prevailed for a time. Hundreds of people gathered at the tunnel and all wanted equipment. Soon every ounce of loose rock in sight at the mouth of the tunnel was carted away by the eager gold-seekers. Nothing resembling the lustrous traces of gold were present.

In the year 1829, John Zaehen, a mining engineer, filed a claim in the County Recorder's office, with notice of location of a lodeclaim as deposit on the northern slope of Twin Peaks. Some minerals were taken from the claim, but only in small quantities. It is understood that an effort will be made by the owners of the property to determine whether or not there is real prospect in sufficient quantity to justify striking a shaft.

Managers Will Girshbaum will present Mime Gadek for a dateless concert every Sunday afternoon at 2:30 o'clock at the Third Street house. Gadek will be ready for this occasion to-morrow morning, a programme "Alas & This Curse" The programme will include an aria from "Alas" and the entire scene from the first act of "Tillman and Isolde," besides German classical songs and a few modern songs included. "Beloved, I'll Stay" has been heard and repeated by request. Frank La Forge will be at the piano.

When T. P. Gailly, a machinist, who lives at 842 Bush street, attempted to board a car on Sutter street, between Sixth and Fillmore streets, at a half-past midnight, evening, he missed his footing and fell between the car and the ground. The wheels passed over his left leg, fracturing the bones in the place. He received temporary aid at a nearby drug store and was then taken to the Lacer Hospital.

Alloyne Oval Sufro, who has been in Judge Karpis' court yesterday, making an argument in favor of the proposition that the alleged collier to Samuel Davis will Sufro devoted his attention to the testimony of the handwriting expert. He went over all the features of Davis' writing to show that the collier is his handwork. Today Judge W. McHenry will review the evidence for the proposition, and tomorrow T. C. Van Ness is to vote for the contestants.

As a result of the recent marketing of the Roan Island and Frisco systems a circular has made its appearance extending the jurisdiction of John Sebastian to the St. Louis and San Francisco road. Sebastian will preside over the passenger affairs of the Roan Island road, while the affairs of passenger traffic on the Frisco will henceforth exercise similar jurisdiction over the Frisco system.

Significant of the consumption of champagne in this country is the quick appreciation of wine perfection which keeps Mmes & Chandon champagne at the head of the list of importations into the United States. Last year there were brought into the port of New York 99,341 cases of Mmes & Chandon champagne, which amount is over 50 per cent greater than the importations of the brand second on the list is shown by the Custom-house statistics. Mmes & Chandon "White Star" champagne 1910 is preferred for service almost exclusively at the prominent receptions, and the large reserve of this grand wine serves to maintain the constant demand for it.

Agnes' children and not "Charlotta". You who are father and you remain line here, you stand by the bedside and pray, and that you might be left of his pain! Don't you remember the little child? Don't you remember the awful time that you stood by the bedside of your wife and didn't know whether it would be life or death. Is there then a father on the earth who will believe that man who he says he doesn't know his first child? It was that full moon. It is like this. I don't see that. It is like striking a nail into his head. He proclaims himself. You saw. And yet Pollina says, "It is like a nail." Remember! I am done. The dust now comes with the dust. It is as solemn as I can I leave that dust with you.

If you don't respect your printed matter who will? Let the Deal Mail Box!

LATEST UP-TO-DATE STYLES
A DIFFERENT PATTERN EVERY DAY



Palani No 5693

All Removal Allowed

There is scarcely a more becoming style in youthful figures than the jacket here illustrated, with neck ornamenting the front and back. The pattern is in 3 sizes—6 to 12 years. For a girl of 9 years the jacket requires $2\frac{1}{2}$ yards of material 21 inches wide, $2\frac{1}{2}$ yards 16 inches wide, 5 yards 14 inches wide, or 14 yards 11 inches wide. Price, 10 cents.

SAN FRANCISCO CHRONICLE, San Francisco
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Size

Present Title: Only

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from 216 B

140 New Mon

March 6-1906

SAN FRANCISCO

LOOKING FOR DAY, WHO SIGNED CERTIFICATE

Police Call in Club Press Agent

San Francisco, February 7/1906.

To the Hon J. P. DINAN
Chief of Police,
Dear Sir:-

This is to certify that I have examined the contestants in the boxing contests to be held on the evening of February 28th, 1906, and find them in good condition.

John Day

ARE AWAITING THE RETURN OF ROCHE

President of Mechanics' Institute Holds That the Association Is in No Way to Blame.

SINCE Frankie Nell has admitted that there was no medical examination of the fighters on the night when Harry Tennebaum met his death, the police are taking a renewed interest in the search for the man who signed the certificate which asserted that there had been a medical examination, when in fact there was none. Until the next trust produces the real "Dr. Day"—and until there is an indefinite as to the personality of the "doctor"—Captain of Detectives Burnett is experimenting with one John of the same cognomen, minus the title, to see how he fits the role. John Day is press agent of the club and there is a suspicion in the Police Department that his duties included signing medical certificates for the police on the strength of which Nell and Tenney entered the ring on the fatal night.

It is unfortunate for John Day, if he is innocent, that his signature when he writes it for private circulation looks remarkably like that of the "doctor". In fact there is a strong family likeness. When he writes it for the police it is somewhat different. The "doctor" leaves his "a" open at the top, and so does John—when he isn't thinking about the matter of the certificate. At such times he also leaves his "g" unprotected to the weather in the same manner, as a glance at the exemplar of his natural hand reproduced here will show. On such occasions his "M" is a good likeness of the one the "doctor" writes. But when he is writing for the police he is more careful. Then his "as" are watertight and his "M" is what the handwriting experts call a "drawn M," meaning that it has the appearance of being prepared for a purpose. But the "a" in all the three cases seems to have been the work of the same hand.

There is another point that is worth remarking. Day was it, and who was it, that discovered that this signature to the false certificate was not that of "R. W. Day"? It looks very much like that. Perhaps the author meant it for "R. M. Day." However, when John Day is asked to produce a copy for the police he writes it "R. M." without any question as to what the "doctor" meant it to be.

When Rudolph Knudsen was questioned yesterday as to how the Mechanics' Institute, the owner of the hall where the fights are held, liked being called "a party to the crime" from the pulp it replied that the members of the Institute were very much shocked that anything of the kind should have been said.

"We have leased the Pavilion for a year for purposes of entertainment," President Taussig said, "and we had no way of knowing what kind of amusement it would be. As long as the prize-fights we don't see how the association can be blamed. It isn't our business to be blamed for the express purpose for which the

John Day
John Day
R. M. Day
M. D.
John Day

The certificate presented to the police and signed by "Dr." Day, and specimens of the handwriting of John Day. The upper specimens were written by John Day at the request of the police, and the bottom signature was written by him as manager of the Mechanics' Pavilion Skating Rink.

Mechanics' Institute was founded; in fact, we never give any entertainment for profit ourselves."

District Attorney Langdon and Captain Burnett say they will wait for the return of Roche from Los Angeles and give him a chance to produce the Day who did it and to prove that he is a doctor. Though it is unnecessary for him to know anything about medicine, if there has been a medical examination, remains to be shown.

SEEKING ESCAPE BY TECHNICAL LOOPHOLE

Collins Files a Voluminous Petition in Supreme Court for Writ of Habeas Corpus.

George D. Collins appeared before the Supreme Court yesterday with a petition for a writ of habeas corpus. The ground on which he asked for the writ was that he had not been tried on the charge on which he was extradited, and that the record introduced on which he was convicted covers the same material points as that on which he was brought back to the State. Collins has little hope that the petition will be granted. It was his desire to apply to the Federal court, but, in order to do that it was necessary for him first to have carried his petition before the highest State court. The document is a voluminous one and cited several cases in other states. Collins was permitted to go to the law library in the City Hall on Sunday, and he studied the petition yesterday in the library of the Supreme Court. There was not a majority of the Justices present yesterday afternoon his petition was not acted on.

PATTERSON FUND IS NEARING \$2000 MARK.
Firemen Continue to Contribute and Fund Steadily Increases.

AY, MARCH 14, 1906.

PILSBURY WANTED UPON A NEW CHARGE

Discounts the Balance of His Inheritance With R. B. Treat and Embezzles the Principal



LOUIS C. PILSBURY has received the last of his inheritance from the estate of his grandfather, Amos Pilsbury of Albany, N. Y., and has disappeared, but R. B. Treat, the ordinary public, is after him with a warrant charging felony embezzlement.

On the death of the grandfather, in 1874, the grandson was a legitimate heir. He died at the age of 10, and his estate was divided into three parts. One part was given to his father, Amos Pilsbury, who died in 1880, and his estate was divided into three parts. One part was given to his father, Amos Pilsbury, who died in 1880, and his estate was divided into three parts. One part was given to his father, Amos Pilsbury, who died in 1880, and his estate was divided into three parts.

FAST LIFE RUINS MAN ON BIG SALARY

Soubrettes and Opium Are Too Much for Local Manager for Eastern Publishing House.



TWO charges of embezzlement and one of forgery were yesterday placed against Jay Maxwell MacFarland, who was arrested last Saturday night by Detectives Bragg and Taylor and has since been registered on the delinquent book at the City Prison. The complaint in the case is J. A. Cochran, representing the Fidelity Trust, Insurance and Real Estate Company of New York and Chicago, and MacFarland, who drew a salary of \$10,000 a year, is 27 years of age and was in charge of the local offices of a publishing house in room 107 of the James Stout building. In addition to overhauling his salary account, MacFarland forged the name of N. E. Cole, treasurer of his company, to a check for \$16, which he secured from Fredson Smith of the Scott & Van Arsdale Company for an encyclopedia. He also had published in his own name the sum of \$20 which he collected from Dr. J. W. Ward president of the Board of Health, and the sum of \$16 which he collected from Attorney C. L. Patton. In each case the money being paid for books published by the concern which MacFarland represented.

MacFarland found his income of \$200 per week too small to permit him to adequately entertain the soubrettes of the Belvedere club whom he became acquainted with on an excursion from Philadelphia a few days ago and there acquainted himself with the mysteries and delights of opium-smoking. After "filling the pipe" in approved style he committed the forgery and embezzlement. He was apprehended by the detectives just as he was arranging his affairs to permit him to leave town with one of his favorite girl acquaintances.

MacFarland is a native of Boston, a college graduate and of good family. He has a mother in the Massachusetts city who is a well-known attorney. He refused yesterday to give any further information than this about himself. The officers of the publishing house which he represented here are determined to push the case.

Feb 16 - 1905

THE BULLETIN: SAN FRANCISCO, THURSDAY EVE

STEFFENS IS PROSTRATED

GUILTY MAN IS SICK OVER VERDICT

Jury Convicts Tool of Administration of Crime of Fraudulent Voting in a Little Less Than Ten Minutes.

At last the realization of what his crime means has dawned upon Adolph Steffens, convicted yesterday in eight minutes of fraudulent voting. When he was taken back to jail after facing the ordeal of an unsympathetic jury he complained of feeling ill. This morning he lies tossing on his cot, and declares that he cannot see anyone.

Spirit Is Broken.

Steffens is a surly fellow who showed remarkable control all through his trial, the only emotion he displayed being the flash of anger that twisted his face when the verdict of the jury was read. Now, with all hope gone and only the prospect of a merciful judge to depend on for relief from the full limit of the penalty, his spirit is broken. It is feared that his health may break down completely under the strain.

After the closing arguments in Judge Lawlor's courtroom yesterday the jury lost little time in considering the case. The twelve men filed back into the jury box in less than ten minutes from their exit. Steffens' mother and sister, who had been with him throughout the arguments, had gone, and he was left alone to face the verdict. His face was stolid, but when Foreman Rixford pronounced the word "guilty," a convulsion of rage that lasted but a moment passed over his features. In the Sheriff's van he was taken back to the dismal portals of the jail.

Two ballots were necessary for the conviction. The first vote of the jury stood ten ballots for conviction, one blank and one "not guilty." The second vote was unanimous for conviction, and some regret was expressed among the jurymen that they were unable to punish those Schmitz election officers who are said to have shamelessly perjured themselves at the trial of the prisoner.

Second of Gang.

Steffens is the second of the Macfarrell gang to be sent to the penitentiary for prostituting the most cherished of political institutions. Charles Wyman will suffer with Steffens the penalty for stuffing the ballot-box. Wyman was hedged about with all the legal technicalities that the administration could summon to his support, but it did not save him. The vanity of these efforts were appreciated when Steffens came to trial and the law proceeded in its straight course.

One of the chief elements that worked for his conviction was the fact that he chose the coward's part and was a fugitive from justice. Immediately after the indictment against him was returned by the Grand Jury he fled to San Mateo, and thence to Los Angeles, where he was arrested and returned to this city by Detective Taylor. He declared that he fled for fear that the shock of his arrest would prostrate his invalid mother. Yet in all his wanderings he never sent her or his sister a letter or communicated with them in any way. During his two months' absence he assumed two aliases and endeavored at all points to escape from the law.

Bulletin Exposed Fraud.

It is confidently anticipated that the conviction of these two men who have acted blindly "in the interests of the administration" that led them into the worst of civic crimes will set an example to future electioneers and as an example to others whose perverted predilections lead them in the same direction. It was through the initiative of the Merchants' Association, backed by the energy of The Bulletin, that these offenders were brought to justice. The Merchants' Association, through Fairfax Wheelan, kept watch for dishonesty at the polls, detected it and followed it up through evidence supplied to the Grand Jury and special counsel appointed at the trial. The Bulletin was the first to

ADOLPH STEFFENS, CONVICTED BALLOT-BOX STUFFER.



expose to the public the stuffing that went merrily on at the primary, and to show the direct connection of the administration and its henchmen with the offense.

The first of the closing arguments yesterday was made by John A. Mosier, special counsel for the prosecution. He dissected the evidence supplied by the defense, and it was found unsound. He pointed out the evident dishonesty of Steffens' purpose in running on the Union Labor ticket and voting the Republican ticket. He argued the inconsistency of the defendant's flexible memory, and he enlarged upon the enormity of the crime under which Steffens stood accused.

Attorney A. L. O'Grady for the defense, in the face of overwhelming evidence, made as good a plea for the freedom of his client as could have been expected. His method of defense seemed to be principally in an attack upon the witnesses for the prosecution, particularly Theodor Kyika, the handwriting expert, and Fairfax Wheelan.

On the other hand, District Attorney Rylington, in making the closing argument for the prosecution, praised the course adopted by Fairfax Wheelan, and declared that he had taken the only stand compatible with good citizenship. It would have been ridiculous to appeal to the dishonest election officials who were placed in the booth to subvert exactly the same purposes as Steffens when he cast a fraudulent ballot. He also intimated that the evidence of Kyika was a material aid to the conviction, and made light of the character witnesses produced by the defense. Rylington reviewed the case bit by bit, and in closing impressively remarked, "Gentlemen, the guilt of the defendant is as clear as the light of the sun, there is but one verdict you can return—guilty as charged."

Bulletin
Feb 17-1905

Francisco
Feb 18-1905

Post
Feb 18-1905

COURT PASSES SENTENCE ON STUFFER



Adolph Steffens.

Judge Lawlor Denies Motion for a New Trial, and Offender Will Soon Don a Suit of Stripes at San Quentin.

One more administration hands man has been handed his striped suit. In Judge Lawlor's department of the Superior Court this morning sentence was pronounced upon ballot-box stuffer Adolph Steffens, and, like his associate in crime, Charles Wyman, he will for the next three years find employment in the iron mills at San Quentin Prison.

When the Steffens case was called before Judge Lawlor this morning Attorney Alexander O'Grady made the usual attempt to secure a continuance. He first asked for a box trial on the grounds that the court had misdirected the jury in matters of law and that the verdict of the jury was contrary to the law and evidence in the case. When this motion was denied he asked for an arrest of judgment on statutory grounds. This motion met with a like fate, and he then interposed a plea for leniency on behalf of his client.

"In naming judgment upon this man, your Honor," he said, "I wish you would take into consideration the fact that he is the sole support of a large and practically helpless family. The members are, besides himself, an aged mother, five sisters, one of them crippled, and a little brother, just 12 years of age. The punishment will fall more heavily upon them than upon the defendant. I believe it will be admitted that the defendant has always in the past been an excellent reputation, and I will ask that for these reasons the court deal leniently with him."

Judge Lawlor in a brief reply with the question of law governing sentence in cases where the purity of the ballot was involved and then proceeded with the pronouncing of judgment. He called attention to the fact that the extreme penalty in such cases was three years, and then announced that the sentence of the court would be three years in the penitentiary at San Quentin. Steffens did not appear to be deeply moved when sentenced, and when taken from the courtroom by the sheriff in attendance seemed only anxious to avoid the camera men who were taking pictures of him.

Adolph Steffens is the second of the ballot-box stuffer to be sentenced to San Quentin. With Charles Wyman and a number of others who had been sentenced to the same term, he was among the first to be taken to the prison.

MRS. BOTKIN IN SAN QUENTIN CELL

On Her Own Request She Is Sent to the Big Prison.

Conditions at the branch County Jail in this time of stress, evidently not to the liking of Cordelia Botkin, whose murder case is now on appeal, resulted yesterday in her making a written request to Judge Carroll Cook for her transfer to San Quentin. The request, prepared by her attorney, was presented during the session of court in Judge Cook's home by Mrs. Botkin's sister. The Judge immediately made the order for the transfer and instructed the sheriff to place it in the Sheriff's hands at once, and Mrs. Botkin was either taken to the State's prison last evening or will be early this morning.

Mrs. Botkin's request was as follows:

To Carroll Cook, Judge of the Superior Court, in the City and County of San Francisco: I, Cordelia Botkin, the defendant in the case of the people vs. Cordelia Botkin, now on appeal in the Supreme Court of the State of California, without, however, in any manner waiving or relinquishing any of my present rights to be heard and have my said appeal determined by said court, and solely for the purpose of changing the place of my confinement while awaiting the decision of said Supreme Court of California, I do hereby request that you give, make and enter in my case an order revoking and setting aside the certificate of probable cause heretofore granted in my case, and directing that I be immediately removed from the branch county jail to the State prison at San Quentin, there to be detained until further order of the Court.

CORDELIA BOTKIN.

STEFFENS GIVEN THREE YEARS TERM

Member of Maestretti Gang Sentenced to Prison for Ballot Box Stuffing.

Another of the Maestretti gang will wear stripes. This morning Superior Judge Lawlor sentenced Adolph Steffens to three years in San Quentin. The charge against him was that of fraudulently voting at a primary election, and the sentence was the same as that given to his fellow prisoner Wyman, convicted of the same offense, and whose case is now pending before the Supreme Court.

The trial took up the whole of one week and was in many respects similar to that of Wyman. Fairfax Wheeler testified in seeing the convicted felon write the name of C. A. Green in the roster and decide the numerous witnesses who testified to the contrary and the many who perjured themselves at the command of their boss, the defendant's guilt was established in the satisfaction of twelve honest citizens, who took but eight minutes to decide on their verdict. The testimony of Expert Theodore Kytk was one of the most important features in the trial, and withstood all the attacks made on it by Alexander O'Grady, the attorney for the defense, who made the best of a bad job. Throughout the trial the mother and sister of the defendant sat beside him, and with difficulty was a scene prevented when the verdict of "guilty" was rendered.

O'Grady made a motion for a new trial on the ground that the Judge had misdirected the jury on matters of law, and that the verdict was contrary to the evidence produced at the trial. This motion was promptly denied.

A motion for arrest of judgment was then made on the ground that the indictment did not conform to the law, and this was also denied by his Honor without hesitation.

Steffens' attorney then pleaded for leniency on the grounds that the defendant had a widowed mother, five sister sisters, a married sister who was a cripple and a young brother, all of whom were in a large measure dependent on him. He said that whatever sentence was imposed would necessarily fall heavily on these poor innocent ones.

Judge Lawlor then stated that the maximum penalty was five years, and after stating that several witnesses had testified as to the prisoner's good character, he pronounced the sentence.

"Adolph Steffens, I sentence you to be confined for three years in the State prison at San Quentin."

COMMISSIONER NORTH TO MAKE INSPECTING TOUR

Commissioner North will leave tonight for a tour of inspection to Los Angeles, San Diego and along the border. He will probably be gone for ten days or two weeks.

PETE M'GLADE OUT WITH REQUEST FOR PAROLE

Former City Official Gives Notice by the Necessary Publication That He Will Ask Release From San Quentin.

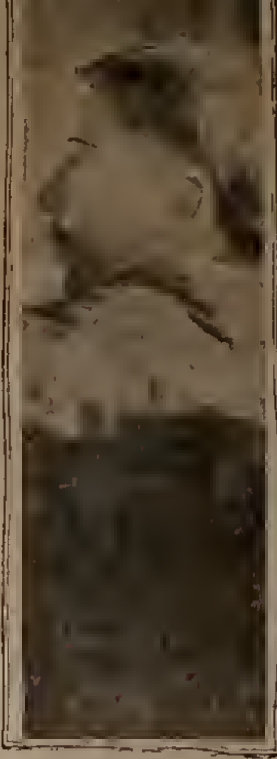
NOTICE is hereby given that I intend to apply to the State Board of Prison Directors to be paroled from the State prison at San Quentin, according to law.

P. W. McGLADE.
February 10, 1905.

The above notice is appearing in the daily papers because of the District Attorney's refusal to sign the application of Peter W. McGLADE, the crinkled clerk of the Street Superintendent's office, now doing time in San Quentin for forgery, for a parole. Behind this obstructive publication is an effort by the convict's friends to get him released without paying the penalty for his crime meted out when sentence was pronounced.

He was imprisoned for eight years. Two other counts of forgery have not been pressed against him, and an effort has been made to have these dismissed and then have him paroled.

An appeal was made to the name of his wife, but the District Attorney refused to listen. The only way now open to the longer and his friends is to make the required declaration and then take the matter up directly with the State Board of Prison Directors at San Quentin. In accordance with the statute they are now publishing their notice of intention to ask the directors for a parole.



Adolph Steffens.

Judge Lawlor Denies Motion for a New Trial, and Offender Will Soon Don a Suit of Stripes at San Quentin.

One short administration handy man has been handed his striped suit. In Judge Lawlor's department of the Superior Court this morning sentence was pronounced upon ballot-box snuffer Adolph Steffens, and, like his associate in crime, Charles Wyman, he will for the next three years find employment in the great San Quentin Prison.

When the Steffens case was called before Judge Lawlor this morning Attorney Alexander O'Grady made the usual attempt to secure a continuance. He first asked for a new trial on the grounds that the court had misdirected the jury in matters of fact and that the verdict of the jury was contrary to the law and evidence in the case. When this motion was denied he asked for an arrest of judgment on statutory grounds. This motion met with a like fate, and he then interposed a plea for leniency on behalf of his client.

"In passing judgment upon this man, your Honor," he said, "I wish you would take into consideration the fact that he is the sole support of a large and practically helpless family. The members are, besides himself, an aged mother, five sisters, one of them crippled, and a little brother, just 15 years of age. The punishment will fall more heavily upon them than upon the defendant. I believe it will be admitted that the defendant has always in the past borne an excellent reputation, and I will ask that for these reasons the court deal leniently with him."

Judge Lawlor dealt briefly with the question of law governing sentence in cases where the pailly of the ballot was involved, and then proceeded with the pronouncement of judgment. He called attention to the fact that the extreme penalty in such cases was life years, and then announced that the sentence of the court would be three years in the penitentiary at San Quentin. Steffens did not appear to be deeply moved when sentenced, and when taken from the courtroom to the hall he in attendance seemed only anxious to stand on the stairs until he was being a walk for him.

Adolph Steffens is the second of the ballot-box snuffers to be sentenced to San Quentin. With Charles Wyman and a number of others aged to the Roof, Steffens administration he attempted to carry the primary election in the Thirty-third Assembly district by wholesale ballot-box stuffing. Wyman was the first to come to trial. Despite the efforts on his behalf put forth by Public Works Commissioner Maestretti and others, he was sentenced to three years in the penitentiary, and now Steffens will join him there.

Steifens was indicted by the Grand Jury in September of last year, and he immediately set forth that he had "willfully, knowingly and fraudulently voted the name of 'I. Gray' in the Seventy-third precinct of the Thirty-ninth Assembly district." Immediately after the finding of the indictment were made public Steffens dropped out of sight mysteriously, and not a trace was known of his whereabouts until he was finally located by the police in Los Angeles.

At the southern city Steffens was leading a sort of double life and Mr. Hyde reigned. At his place of residence there, he made out he was known as Adolph Schultz, while at his place of employment, a tailoring establishment in an outer part of town, his name appeared on the company's books as Adolph Schultz. When arrested he attempted to deny his guilt, and it was not until the police had followed him with a regular showing of a photograph and description that he admitted that he was Steffens.

At once Steffens' case was taken up by the Supreme Court on an appeal.

written request to Judge Carroll Cook for her transfer to San Quentin. The request, prepared by her attorney, was presented during the session of court in Judge Cook's home by Mrs. Rothkin's sister. The Judge immediately made the order for the transfer and instructed the bailiff to place it in the Sheriff's hands at once, and Mrs. Rothkin was either taken to the State's prison last evening or will be early this morning.

Mrs. Rothkin's request was as follows: To Carroll Cook, Judge of the Superior Court, in the City and County of San Francisco: I, Cordelia Rothkin, the defendant in the case of the people vs. Cordelia Rothkin, now on appeal in the Supreme Court of the State of California, without, however, in any manner waiving or relinquishing any of my present rights to be heard and have my said appeal determined by said court, and solely for the purpose of changing the place of my confinement while awaiting the decision of said Supreme Court of California, I do hereby request that you give, make and enter in my case an order revoking and setting aside the certificate of probable cause heretofore granted in my case, and directing that I be immediately removed from the branch county jail to the State prison at San Quentin, there to be detained until further order of the court.

CORDELIA ROTHKIN.

PETE M'GLADE OUT WITH REQUEST FOR PAROLE

Former City Official Gives Notice by the Necessary Publication That He Will Ask Release From San Quentin.

NOTICE is hereby given that I intend to apply to the State Board of Prison Directors to be paroled from the State prison at San Quentin, according to law. P. W. M'GLADE, February 10, 1905.

The above notice is appearing in the daily papers because of the District Attorney's refusal to sign the application of Peter W. McGlade, the ex-coked clerk of the Steel Supertolendee's office, now doing time in San Quentin for forgery, for a parole. Behind this obnoxious publication is an effort by the convict's friends to get him released without paying the penalty for his crime, which was pronounced.

He was imprisoned for eight years. Two other counts of forgery have not been pressed against him, and an effort has been made to have these dismissed and then have him paroled.

An appeal was made to the name of his wife, but the District Attorney refused to listen. The only way now open to the lawyer and his friends is to make the required declaration and then take the matter up directly with the State Board of Prison Directors at San Quentin. In accordance with the statute they are now publishing their notice of intention to ask the directors for a parole.

All specially of the State.

Member of Maestretti Gang Sentenced to Prison for Ballot Box Stuffing.

Another of the Maestretti gang will wear stripes. This morning Superior Judge Lawlor sentenced Adolph Steffens to three years in San Quentin. The charge against him was that of fraudulently voting at a primary election, and the sentence was the same as that given to his fellow prisoner Wyman, convicted of the same offense, and whose case is now pending before the Supreme Court.

The trial took up the whole of one week and was in many respects similar to that of Wyman. Folfax Whelan testified in seeing the convicted felon write the name of 'I. A. Gray' in the roster and despite the numerous witnesses who testified to the contrary and the many who performed themselves at the command of their boss the defendant's guilt was established to the satisfaction of twelve honest citizens, who took but eight minutes to decide on their verdict. The testimony of Expert Theodore Kyika was one of the most important features in the trial, and withstood all the attacks made on it by Alexander O'Grady, the attorney for the defense, who made the best of a bad job. Throughout the trial the mother and sister of the defendant sat beside him, and with difficulty was a recent prevented when the verdict of "guilty" was pronounced.

O'Grady made a motion for a new trial on the ground that the Judge had

misdirected the jury in matters of law, and that the verdict was contrary to the evidence produced at the trial.

This motion was promptly denied. A motion for arrest of judgment was then made on the ground that the defendant did not conform to the law, and this was also denied by his Honor without hesitation.

Steffens' attorney then pleaded for leniency on the grounds that the defendant had a widowed mother, five sick sisters, a married sister who was a cripple and a young brother all of whom were in a large measure dependent on him. He said that a further sentence was imposed would necessarily fall heavily on these poor innocent ones.

Judge Lawlor then stated that the maximum penalty was five years, and after stating that several witnesses had testified as to the prisoner's good character, he pronounced the sentence.

"Adolph Steffens, I sentence you to be confined for three years in the State prison at San Quentin."

COMMISSIONER NORTH TO MAKE INSPECTING TOUR

Commissioner North will leave tonight for a tour of inspection to Los Angeles, San Diego and along the border. He will probably be gone for ten days or two weeks.

RULES



6

Pacific Coast Forest, Fish
and Game Association

Shooting Tournament

April 1 to April 1, 1911
Mechanic

L. R. Taylor

OPEN TO ALL



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What our Interior Decorations will be like

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Forest, Fish
and Game
Association



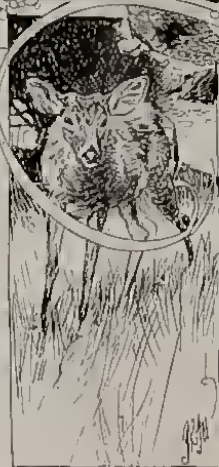
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Forest, Fish
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FIRST
FOREST, FISH and GAME
EXHIBITION

For the Benefit of the SAN FRANCISCO LIVING IN HOSPITAL AND
FOUNDLING ASYLUM and the HOSPITAL FOR CHILDREN AND
TRAINING SCHOOL FOR NURSES



Will be held at the
MECHANICS' PAVILION
APRIL 1 TO 15, 1905
INCLUSIVE

WHAT THE PRESS THINK OF US

San Francisco "Call" Feb. 10

When the casual spectator steps into Mechanics' Pavilion on April 1st he will think he has been transported to fairyland. Stretching before him will be a long avenue of immense trees. At the far end of the building will be a vista of mountains with a gemine waterfall leaping from rock to rock until it reaches an immense pond in the center of the building. Indian teepees will flank the banks of this miniature lake and on all sides will be seen nature's riches in the shape of the varied animal, vegetable and fish life of California and the great West. Such is the central idea of the sportsman's show which is being fostered and promoted by the Pacific Coast Forest, Fish and Game Association, of which William Greer Harrison is director general.

The sportsman's show will also be a nature show, instructive in a large degree and intended to educate Californians as well as picture to Eastern visitors the vast natural resources of the Pacific Slope. This has been called the sportsman's paradise on account of the great variety of game and fish that inhabit the mountains and plains, streams and ocean. For the preservation of this game and fish the exhibition is expected to be of considerable assistance. A large committee of California's foremost citizens are interested in making the show a great success with this idea always in mind.

San Francisco "Examiner"

Feb. 12

To concentrate all the wonders of nature from the Columbia River to the Gulf of California within the narrow confines of one exhibition building is the gigantic task undertaken by the Pacific Coast Forest, Fish and Game Association. It is a labor of love, as the promoters are all sportsmen, fond of the beauties of nature and interested in the preservation and propagation of the fish, fowl, game and vegetation which help to give the magic tinge to the name California.

As a straight money-making proposition, the scheme would not be feasible; natural expenses would eat up the profits; but, promoted as it is by enthusiasts, who are giving time and services gratis, and backed by the good will and assistance of railroads, boards of trade, promotion

committees and other organizations formed for the purpose of putting the name of California in the front rank among her sister States, a great exhibition and great success seems assured.

Practically every variety of wild animal and fish life will be represented. The various varieties of deer will find homes within Mechanics' Pavilion for the fortnight from April 1st to 15th that will not allow them to pine for their forest habitats. Water fowl will have an immense pond with constantly changing water; birds will be provided with aviaries similar to the famous affair in Golden Gate Park, and the fish will be provided with spacious aquariums, filled with the waters of the sort in which they sport when not in captivity.

Camp life will be illustrated in a realistic manner. A band of Indians from several tribes will add color to the general scheme. Nothing will be left undone to make the show a thing that will remain in the memory for many months to come.

Arrangements are now under way for a variety of special attractions. Leader John J. Gleason, of the Olympic Club, has numerous athletic events in prospect and many novelties will be introduced.

San Francisco "Post" Jan. 20

More general interest is now being manifested in things out of doors than at any time in the history of our country. Nature study is a prominent feature in school curriculums; field sports and athletics are more popular; the subject of forestry is not only scientifically considered by the State and National Government, but it is discussed as an economic problem in the daily newspapers, the magazines and by associations of citizens; organization are multiplying for the promotion of popular interest in the phenomena of nature as they are visible almost at every man's doorstep; the best modern literature deals with life in the open, on the wide prairie and the broad desert, in the forests and mountains, and where the great sea spends its last strength against the coasts of the continents.

There is no region of earth that will in the slightest degree compare with the Pacific Coast for variety and quality of natural phenomena. Here then, in the metropolis of the Pacific Coast, is the appropriate place for such an exposition as has been planned by the Pacific Coast Forest, Fish and Game Association.

The exhibits have been classified to include forestry, fisheries, animals and birds, sports, games and pastimes; art associated with forestry, fish and game; and industries associated with forest, field and marine sports. These in turn are divided into sub-classes, until every variety of nature product or its human adaptation will be vividly presented. The exhibition will not only be unique, but it will serve for the instruction necessary to a liberal education for all who shall advantage themselves of its opportunity.

It is on this plan that the Exhibition of the Pacific Coast Forest, Fish and Game Association has proceeded. It will concentrate within a small space all that is of value out of our hills, forests and streams, together with the appliances for their utilization. It will be one of the most important exhibitions ever presented on the Pacific Coast, and it should enlist the interest and hearty co-operation of every nature-loving citizen within our borders.

San Francisco "Bulletin"

Feb. 12

The Pacific Coast Forest, Fish and Game Association is planning a wonderful exhibition for the first two weeks in April. It will be wonderful because all that is beautiful in nature in the sun-kissed West will be put under one great roof, and it will stand as a monument to the energy and enterprise of a body of well-known local men, who love nature and wish to see the forests, birds, fish and wild game perpetuated and preserved.

Every State now has a Fish and Game Commission, and the forests are protected in the sections where they are a necessity for the general good. California is so provided, but private effort is needed to enforce the laws and invent new safeguards. This is the primary object of the sportsman's show referred to. It is hoped to gain thousands of adherents to the proper regard for nature by depicting its beauties and its uses in a novel exhibition that will appeal to people of every class; to man, woman and child alike.

It will be the show beautiful. Nothing of an exhibition nature will be sacrificed in the setting

that is being prepared, but the transplanting of enormous trees and attractive shrubs, together with the services of many able decorators, is intended to transform the harsh Mechanics' Pavilion into a hower. The pens for wild animals will not be the stern sort of the circus, but will be rendered attractive by moss and rocks and hedges. The aquariums and the aviaries will be likewise attractive.

San Francisco "Town Talk" Feb. 18

Not a little interest is being taken in the Forest, Fish and Game Association's exhibition at the Mechanics' Pavilion, which is to be given the first fortnight of April. W. Greer Harrison, the apostle of the out-of-door life and the pleasures of athletics and sports, is the director general of the affair. The Board of Directors of the association chose him for the office, knowing that no other man could manage the affair so well.

San Francisco "Post" Feb. 15

California has ever been the fisherman's dream of the hereafter, because he can have the most diversified sport afforded by any State in the Union. Disciples of Isaak Walton come from every quarter of the globe to the waters of Catalina Island for the pleasure of lighting the Tuna, Yellowtail and Jewfish; immense and game specimens of the deep-sea inhabitants found in quantities in no other spot in any ocean.

Chairman Al Cumming, of the Fish Committee of the Forest, Fish and Game Show, to be held in Mechanics' Pavilion the first two weeks of April, proposes to have live sea denizens of every variety found in or about this State as his share of the sportsman's nature exhibition. It will require especially large aquariums for the Catalina delegation, but Mr. Cumming has arranged to have them here and will provide a suitable home for them during captivity.

A. Paladini has agreed to furnish a goodly supply of living fish that sport in the waters of the bay and ocean adjacent to San Francisco.

The salmon, black bass and numerous varieties

of trout will not be overlooked. The Pacific Coast has produced two kinds of trout that are among the gamest sort that delight the angler—the Rainbow and Cutthroat. Both have been transplanted to Eastern States on account of size and flavor, but nowhere do they grow so large as in the native streams of California. A special exhibit will be made of these varieties, but the many other sorts of speckled beauties will not be missing. This fish exhibit will be but one of the many features of the immense exposition, but it should prove a very attractive feature, because it will be one of the largest affairs of this nature ever attempted in the world.

San Francisco "News Letter" Feb. 18

A nice feature of the Forest, Fish and Game Association's nature show will be the children's section, in which the little ones may exhibit their pets, whether plant, animal or bird. The idea behind the whole exhibition is to foster the love of nature among the children, encourage it in the middle-aged and confirm it with those advanced in years. Mechanics' Pavilion is to blossom like the rose, if Theodore Kytk's plans do not miscarry. He is chairman of the Decoration Committee, and has full power to act. As nearly as possible, the entire ground floor will be made to resemble a huge forest, with a clearing in the center for athletics, and an immense pond of water for such aquatic sports as may be determined upon. The children's pet exhibit is an idea of Dr. F. W. D'Evelyn's, and he has associated with him a committee of workers. Mrs. W. de St. Paul-Seitz is the chairman. C. S. Thompson, Dr. Frank R. Petrie, Mrs. J. K. Hoagg, Miss Ethel Carlett, Miss Helen Sweet and Miss Charlotte D'Evelyn complete the committee.

San Francisco "Bulletin" Feb. 15

One immense carload of game birds is coming from the far East for the Sportsman's show of the Forest, Fish and Game Association, to be

held in Mechanics' Pavilion during the first two weeks of April. A magnificent pair of moose and a brace of Rocky Mountain sheep commonly called the Big Horn sheep, will complete the Eastern portion of the live exhibits. These were contracted for several weeks ago, previous to the time when the Executive Committee made a firm stand and determined to make the affair strictly a Pacific Coast exhibition. They will form a valuable addition to the local varieties of game, numerous as are the latter. Every portion of the State is now being scouted to make a representative showing of the native products in the animal line and this portion of the affair will be of great magnitude owing to the enterprise of the promoters.

As the mountains are being searched for wild game, so are the marshes being beaten for water fowl. Special sanction has been acquired from the Fish and Game Commission to capture live specimens, the close season for ducks beginning tomorrow, when it is unlawful to kill or have in one's possession a single succulent bird of the duck family. Many of these feathered specimens will be found in the big duck pond that is planned for the center of the building. Scattered among them will be found the decoys that have lured their relations to the dinner table. The gun clubs will also erect stationary blinds among the reeds, and a couple of boat blinds will be moored to the banks of a little island that is to be built in the center of the water. This illustrates the amount of detail that is being planned for every branch of this mammoth exposition.

The Athletic Committee reports most satisfactory progress. The present idea is to have a number of Coast tournaments during the exposition. Wrestling entries have already been received from far-away points and the Olympic Club has a group of thirty-four men in training to keep the honors in San Francisco. Walter Mansfield, chairman of the Fly-Casting Committee, is arranging for a Coast tournament in his line of sport. Distance casting will be impossible owing to lack of space, but delicacy and accuracy will be rewarded with suitable emblems. A representative tennis State tournament will be one of the features, and an indoor baseball league between the Occidental, St. Ignatius, and Olympic teams is a certainty.

WHAT OUR OBJECT IS

THE Association hopes to encourage the love of nature in all classes and thus lead to the preservation of California's natural advantages both from an artistic and a sportsman's viewpoint; to educate the masses in natural history; to keep genuine sport on the basis upon which it was first conceived; to work towards the passage of laws that will further protect the forests, fish, birds and game and lead to the better enforcement of existing laws providing for that purpose.

President William Greer Harrison has stood for many years as the true type of sportsman. He has associated with him many notable citizens whose energies are being directed in the right direction. For the good of their fellows and two worthy charities they are devoting their time and their private purse. They have the inborn gift of loyalty to beautiful California and a deep rooted affection for all that has gone to make the great Commonwealth a magic by-word in the mouths of residents in every section of the Universe. In brief the object of the Pacific Coast Forest, Fish and Game Association is philanthropic; there is not selfish motive being served

WHAT WE DESIRE

THE Association craves the hearty support of every man, woman and child on the Coast who may be interested in nature and in the perpetuation of all that goes to make the Coast the garden spot of the world. This support may be given in a variety of ways; exhibits that will tend to enlarge the scope of the affair; suggestions that may lead to a betterment of the general plan; financial backing to the sum of \$10.00 for associate memberships and the moral co-operation of all in making this the largest and grandest exposition of animal, fish and plant life ever held.

WHO OUR OFFICERS ARE

EXECUTIVE COMMITTEE

CHAIRMAN WILLIAM GREER HARRISON, President
JAMES D. PIELAN, Vice-President
IGNATZ STEINHART, Treasurer
ARCHIBALD J. TREAT
A. VAN DER NAILLEN JR.
W. W. VAN ARSDALL
CHARLES S. AIKEN
W. de ST. PAUL-SEITZ, Secretary

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AL. M. CUMMING, Chairman Committee on Fisheries
THEODORE KYTKA, Chairman Committees on Art, Decoration and Utilities, Rifle and Pistol Range
GEORGE T. MARSH, Chairman Committees on Trade Exhibits, Admission
M. HALL McALLISTER, Chairman Committee on Club Exhibits and Club Entertainment

ADVISORY BOARD

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ARCHIBALD J. TREAT, Chairman Committee on Indoor Tennis
WM. McMURRAY, Chairman Committee on Transportation
CHARLES S. AIKEN, Chairman Committee on Publicity and Promotion
H. C. TIBBITS, Chairman Committee on Automobiles
JOHN McLAREN, Superintendent of Golden Gate Park, Committee on Forestry
E. COURTNEY FORD, Chairman Committee on Sporting Dogs

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WILLIAM GREER HARRISON
JAMES D. PIELAN
ARCHIBALD J. TREAT
HARRY BABCOCK
WILLIAM THOMAS
H. C. TIBBITS
WILLIAM McMURRAY
CHARLES S. WHIDLER
W. de ST. PAUL-SEITZ
ALEXANDER HAMILTON
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HUGH J. McISAAC
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WALTER D. MANSFIELD
M. HALL McALLISTER
GEO. D. DORNIN

RULES

REVISED



Governing

Pacific Coast Forest, Fish
and Game Association

SHOOTING TOURNAMENT

April 1 to April 15, 1905, inclusive.
Mechanics' Pavilion

Short Range Gallery—The short range gallery (25 feet) will be comprised of seven iron targets similar to the usual public shooting galleries. This will be conducted by experienced attendants. Scores will be of five shots at a price of 25 cents per score. No prizes are to be given in this event.

Shooting on Prize Range will stop at 9 p. m. April 15, 1905. Shooters must see that Secretary enters their scores correctly. Shooting masters will be uniformed in red shirts. Numbers on shirts will indicate authority and rank.

Addition to Shooters—Members of regularly organized pistol and rifle clubs attending for the purpose of competing in the shooting tournament, bringing their guns with them, upon presenting their membership tickets at the ticket window marked "Shooters' Tickets," may obtain a shooter's ticket at the reduced admission of 25 cents.

Handsome prizes to the amount of \$2,000.00 will be given.

I. K. T. H.

Captain of Shooting Masters

(Price List will be published with next issue.)

FOREST, FISH AND GAME ASSOCIATION
37-39 PIELAN BUILDING, SAN FRANCISCO, CAL.

Carl Becker, Famous Salaried Forger, Again Under Suspicion



Carl Becker

Carl Becker, the forger most feared by the bankers of America and who is said to receive a salary from a number of leading banks on condition that he will commit no more forgeries, is believed by the

San Francisco police to be up to his old tricks. Soon after Becker's release from San Quentin penitentiary, where he was sent to serve a sentence for raising a check for \$22 to \$22,000, realizing the full amount of the forgery, Becker is said to have been approached by members of the American Bankers' Association and an arrangement made whereby Becker promised to renounce his life of crime in return for a monthly salary. Recently, however, a \$21 check raised to \$2,100 appeared in a bank and far from where Becker lives in New York. While the police have no evidence that Becker is responsible for the raised check, there is a suspicion that he knows something about it. Becker was one of the most expert forgers in America and he turned his trade to good account when he took up the business of raising checks. The most experienced tellers were fooled by his clever work and cashed his raised checks without question.

PRIL 4, 1905.

GOLDEN TROUT FROM WHITNEY

Rare Fish Are Displayed at Exhibition of the Forest and Game Association

ICE IS KEPT IN TANK Scots Will Enjoy the Show This Evening and Give Dances to Bagpipe Music

Golden trout from an icy stream 7000 feet up the wild sides of Mount Whitney were one of the new attractions of the Forest, Fish and Game Association's show at the Pavilion last night.

After dark the trout had been captured and the knowledge of this fact rapidly they are being sold through a dense crowd gathered around their tank.

The fish were caught in Whitney Creek by R. W. Hegun, foreman of the Siskiyous hatchery. With two assistants he started up the towering mountain.

One of his companions turned back when a blinding snowstorm came on, but the other two proceeded. Requiring about three dozen of the trout, which were brought down in a bucket of water and ice. Plenty of ice was shipped here, and a large chunk of it was thrown into the water in which they live at the Pavilion.

Theodore Kytkin, defeated Captain Riley of the United States army in a contest at the pistol range, and the Occidentals beat the Olympics 20 to 8 at indoor baseball.

Another acquisition to the exhibition is the brown bear belonging to the University of California. It was brought to the Pavilion in a hack.

To-night will be given over to the Scots, and hundreds of them will be there. The following ladies and lassies in Highland costume will portray the native dances in uniform: Madge Hamilton, Frances Dougherty, Maud Thompson, May Foley, Nellie Macpherson, Margaret Grant, Marie Grant, Bertha Campbell, James Trevelick, Doty Rosa, Maggie Rosa, Anita Foley and Alice Foley. Special Highland songs and sword dances will also be given by Lizzie Ferguson and Virginia Schultz to the music of the bagpipes, played by J. S. R. Tyndale and Adam Rosa.

FORGER FLEES AND BOND FORFEITED

Bondsmen of Al Lake charged with forgery must pay \$500 into the city treasury in Judge Lawler's department this morning. The accused man failed to answer, and although his attorneys pleaded for further time in which to produce their client, the Judge announced that he was weary of bearing promises that were never fulfilled, and declared the bail forfeited. The bondsmen who stand to lose the sum furnished for bail are John J. Kenny and Frank Colburn, both attorneys, and one a professional bondman.

Lake was involved in forgery deals in this city that netted him several thousand dollars but the specific amount set forth in the complaint upon which he was to be brought to trial is \$500. The complaint was lodged by the Germania Savings Bank on the 15th of October, 1904. The bank then presented a check at the bank to which it was made payable to L. Johnson. It was signed by Robert Troost. Lake forged the check, and the money, his confederate, and got the money. His confederate escaped, but Lake was captured and was held to answer for his crime.

When Lake's case was called a week ago he failed to answer, but his attorney declared that he was still in the city, and that his failure to answer was due to a misunderstanding. The Judge was called several times after the first time, and Judge Lawler finally decided that Lake had fled the State. The police have a bench warrant for the fugitive's arrest.

SHOOTING OPEN TO ALL

Forenoon, 10 to 12. Afternoon, 2 to 5:30. Evening, 7:30 to 11.

Rifle Tournament.—4 shots, 25 cents. Unlimited re-entry.

Pistol and Revolver Tournament.—5 shots, 25 cents. Unlimited re-entry.

Best ten scores to win. In case of tie, the next two best single scores are to be added, etc.

General Condition.—Competitors must make themselves acquainted with the rules and regulations of the Association, as the plea of ignorance will receive no consideration. The rulings and decisions of the shooting-masters in charge together with the Secretary of the range, are final in all cases. Competitors must see that they get proper targets, and they must see that scores are properly recorded, and must obtain and preserve receipts for same.

Classification of Arms. (a) Any .22 calibre rifle. No restriction as to trigger-pull, sights, weight or length of barrel.

(b) Any pistol. A pistol of any calibre. Maximum length of barrel, 10 inches. Minimum trigger pull, 2 lbs. Sights may be adjustable but they must be strictly open, in front of the hammer and not over 10 inches apart.

(c) Any revolver. A revolver of any calibre. Maximum length of barrel, including cylinder, 10 inches. Minimum trigger pull, 2½ lbs. Sights may be adjustable but they must be strictly open, in front of the hammer and not over 10 inches apart.

Ammunition.—.22 calibre, any. Larger than .22 calibre, to be of low power, known as gallery or reduced charge, using smokeless powder only. This latter ammunition must be submitted to and approved by the shooting-masters before using.

All bullets shall be of soft lead.

Loading.—Loading shall be done in the shooting booth only, and all guns must be kept pointed towards the target while being loaded and until the cartridge is discharged or removed. Gun barrels must be slanted muzzle downwards during the process of loading. In all instances of shooter retiring from the firing booth, the cartridge chamber must be unloaded. In revolver shooting, but one chamber shall be loaded at a time. All gun breeches must be kept open while shooter is not actually within the firing-booth. Shooting must cease when red flag is displayed between firing point and targets.

Accidental Discharge; Mishaps.—In case of accidental discharge, or of defective ammunition, if the bullet comes out of the barrel it will be scored a shot. Mishap cartridges must be preserved and removed from the gallery.

Position.—The position shall be standing, free from any support. In pistol and revolver shooting, the weapon must be held in one hand, with arm extended, so as to be free from the body.

Targets.—For rifle, reduced German Ring target. For pistol or revolver, reduced Standard American target.

Competitors desiring to enter either of the matches can, upon paying the entry fee, procure from the Range Secretary the proper target. The shooter must state for which match (pistol or rifle) he desires targets.

Scoring and Ties.—Targets counting less than 75 for rifle or less than 30 for pistol or revolver will be rejected as superfluous. Targets showing trace of tampering will be forthwith rejected regardless of consequences. Targets showing a number of shots in excess of required number will be rejected. Shots cutting a line will count as a shot of the ring of that line. Ties will be decided by adding the next two best single scores and continuing, etc., until tie is decided. The shooter must complete the score before the target is removed from the carrier. Five minutes will be allowed to finish a single score. Ten minutes for two scores, etc. The scores shall be counted by the shooting master in charge or by his deputy or Secretary.

Trigger Pull.—The trigger pull as specified in the various events shall be determined by a test weight equal to the minimum pull, applied at a point 3/8 of an inch from the end of the trigger.

Conduct.—Loud talking or other conduct calculated to disturb the shooter is prohibited in the vicinity of the booths.

Protests.—Any person who believes that an injustice has been done, or who dissents from the decision of any authorized executive officer of the association, may enter a protest on depositing \$1.00 with the secretary, or in his absence with any official present. Such protest must be in writing and must be made within 2 hours after the incident on which it is based, and be handed to the secretary. All protests will be investigated and passed upon by the captain of the shooting masters, and if sustained the protest fee will be returned, otherwise it will be forfeited.

Penalty.—The penalty for violation of any of these rules shall be either forfeiture of scores, suspension from range or both at discretion of shooting master.

Selection of Prizes.—At the end of the shoot the winners shall be determined by aggregating the 10 best scores. The prizes shall be chosen alternately by the pistol and rifle shooters in the order of the winning. The first choice shall be had by the first winner in the class (pistol or rifle) that the largest number of scores are shot in.

FULL-BLOOD NAVAJOS IN CAMP AT THE PAVILION



Navajo Indians, Who Arrived Yesterday to Take Part in the Exhibit at Mechanics' Pavilion, Which Opens on Saturday.

WARRIORS COME FROM DESERT

Indians Will Add to the Interest
of the Exhibit of the For-
est and Game Association.

FULL-BLOODED Navajos to the number of twenty-five including squaws, papooses and war paint, will add to the attractiveness of the exhibit to be opened at the Mechanics' Pavilion next Saturday under the auspices of the Pacific Coast Forest, Fish and Game Association.

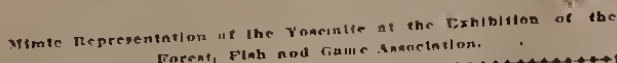
The Indian warriors and their families were brought from the desert ranches of New Mexico, over 150 miles from any railroad, and belong to the tribe cared for by the Government on the Navajo reservation. They are fullbloods and do not speak a word of English. Their eyes are still blinking at the spectacle of civilization before them, and it is doubtful whether they really enjoy the vacation arranged for them by a paternal Government whose courtesy they do not exactly comprehend.

No pains are being spared by the management to give the public an exact reproduction of out-of-door life on the coast. Everything that conveys the illusion of forest, field and mountain is being brought together under the Pavilion's great roof.

These Navajos furnish the finishing touch to the scenery. Their quarters are picturesque arranged at the end of the long room where scenic painting and panoramic settings inspire the beholder with the belief he is high amid the pines in the very heart of mountain fastnesses.

The Indians were secured through the efforts of Theodore Kytko, who addressed the War Department and through it the Indian Bureau to secure the attendance of these warriors of the commonwealth. Nathan Perry, the Indian Agent in New Mexico, made the selection of Navajos which are here. They are the most skillful artisans he could find, there are silver smiths, with gaudy silver ornaments on every possible part of their unique attire, four squaws who are expert blanket weavers; unaccustomed to the life of the reservation, in whom the hopes of the Navajos are vested. There are five of these little fellows, and they play about in their colorful blankets as though they were at home. Their chief amusement is to roll themselves up in these blankets and keep on rolling until they fall over, the painted rick or otherwise come to grief quite like their American brothers.

During the exhibition the weavers will show their methods of manufacture and will have on exhibition over 200 blankets, which were to be packed from the reservation to the railroad.



GAME SHOW NOW
OPEN TO PUBLIC

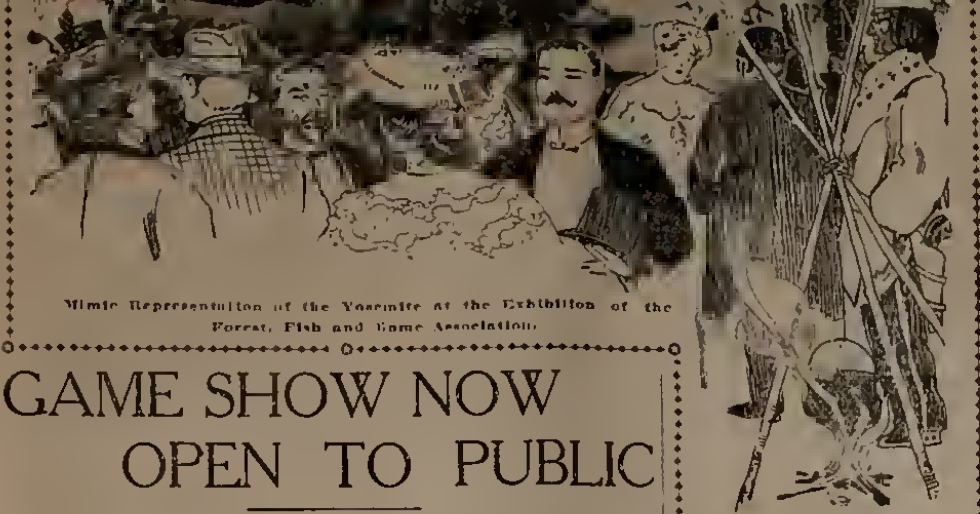
Nature has been transplanted bodily from outdoor California into the vast Pavilion. The pungent odor of pine pleasantly assails the nostrils from the hundreds of trees which have been arranged in imitation of the primeval forest. The cries of wild birds accentuate this forest idea. So ingenious has been the plan to counterfeits nature, that, instead of tiring with the show, the eye finds new pleasures in trees or flowers, birds, fish or wild fowl. The only foreign element was the crash of a splendid band, but the delightful music added just that touch to the general picture that the poetic mind associates with the chorus of chirping birds and the soothing of the wind in the trees.

FORMALLY OPENED.

Nature fairly revels in California, he stated, and from remote places large numbers of people flock to this State because they have discovered by comparison with other lands, that California is a sportsman's paradise for the garden of the world. The object of the exhibition is to reveal to the people of the State and country the magnificence of our heritage, and if the exhibition brings about a better understanding of our natural history and the flora and fauna of our State, the association will feel that its labors have not been in vain.

ANALYTICAL CHEMISTRY

The concluding address was made by Dr. F. W. A. Lively, who asserted that nature study is not a mere fact, but a duty, an surely a responsibility of our generation. He concluded with a beautiful illustration of the importance of nature study.



Mimic Representation of the Yosemite at the Exhibition of the Forest, Fish and Game Association.

GAME SHOW NOW OPEN TO PUBLIC

THE Sportsman's Show at Mechanics' Pavilion, constituting the first exhibition by the Pacific Coast Forest, Fish and Game Association, was inaugurated by a complimentary reception last night. William Greer Harrison, president of the association and chairman of the exhibition, welcomed the guests.

Nature has been transplanted bodily from outdoor California into the vast Pavilion. The pungent odor of pine pleasantly assails the nostrils from the hundreds of trees which have been arranged in imitation of the primal forest. The cries of wild birds accentuate this forest idea. So ingenious has been the plan to counterfeit nature, that, instead of tiring with the show, the eye finds new pleasures in trees or flowers, birds, fish or wild fowl. The only foreign element was the crash of a splendid band, but the delightful music drifting through the big Pavilion added just that touch to the veridical picture that the poetic mind associates with the chorus of chirping birds and the sighing of the wind in the trees.

FORMALLY OPENED.

The exhibition was formally opened by President Harrison from the speakers' stand facing the realistic representation of the Yosemite falls, and backed with California's favorite flowers. He was unstinted in his praise of the committee which have labored during four months to consummate the idea of a nature show. James D. Phelan, the vice-president of the association, speaking to the thousands assembled on the floor or leaning over the huge galleries, declared that "with advancing civilization man is weaned away from nature, but the strong hold which nature has upon man constantly draws him back. Here in this exhibition, an attempt is made to illustrate animal and vegetable life, forest and stream, but every attempt to reduce nature to a small scale or to imitate it in its beauty and variety must necessarily be inadequate; and yet the mere suggestion of nature, here displayed, leads in the right direction."

Nature fairly revels in California, he stated, and from remote places large numbers of people flock to this State because they have discovered, by comparison with other lands, that California is a sportsman's paradise—the garden of the world. The object of the exhibition is to reveal to the people of the State and country the magnificence of our heritage, and if the exhibition brings about a better understanding of what nature has done for the State, the association will feel that its labors have not been in vain.

JOAQUIN MILLER'S POEM.

Joaquin Miller, the virile and picturesque poet, followed with an original poem, "The Trees of Eden," the second stanza of which ran, referring to the tree, "the third day's miracle,"

And yet we hear and slay and slay
God's new born, "dear and to the light."

And all-ere he laid hand to play
And fashioned man to burn and light.
We see no grace at all, behold!
We only see the sudden gold.

The concluding address was made by Dr. F. W. C'Bevelyn, who asserted that nature study is not a mere fad, but a duty, as surely a responsibility as the exploiting of agricultural resources or mineral riches. "Let us get closer to real things, let the touch of nature that is hidden somewhere in the make-up of each of us, be free to respond now and again."

At the conclusion of Dr. C'Bevelyn's speech President Harrison was presented with the score of a selection dedicated to him by Wm. H. St. Paul Selts, and played by the band at that moment.

The exhibit includes live specimens of the eagle, quail, pheasant, deer, bear, etc., the various varieties of duck, the lynx and beaver, birds' eggs, game fish, such as the trout, bass, and sixty-eight varieties of moll. Children's pets are an interesting exhibit, and include everything from mocking birds to rabbits. The Indian section is in charge of Theodore Kytku, and the twenty-five full-blooded Navajos are a never-failing point of interest for the children.

ARMY AND NAVY REPRESENTED.

The United States Army is represented by Major R. P. Van Vleet, with ten privates and a corporal. The 4th infantry, artillery, cavalry and hospital corps are included. The naval detachment of fifteen men is in charge of Chaplain Frazer from the Pensacola.

There are 2000 entries for the shooting tournament, which opens to-night, and forty trophies will be awarded. Silver prizes will also be awarded for the best-dressed booth.

The booths of the various hunting and athletic clubs are extremely notable and interesting. These are represented by the Fly Casting Club, the Sierra Club, the Olympic Club and

the Bohemian Club. A fly-casting tournament, with prizes varying the championship, will be awarded.

The gallery has been arranged into a very fine art exhibit and houses representatives of various industries. This is a favorite resting place. A feature of each evening's show will be athletic feats on the cleared space in the center of the first floor. The Pacific Coast Club will have charge of the athletic tournament this evening.

Many ardent sportsmen were among the visitors last night. The game is confined in wire cages, but so built as to appear favorite dens of the beasts in the forests. The fish swim in large glass tanks, also surrounded with foliage.

Looking down from the gallery, the throng on the first floor was a half-dozen picture of handsomely dressed ladies and well-groomed men, their costumes harmonizing delightfully with the forest of trees.

RECEPTION IS GIVEN

Chronicle
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PATIENT WAS A MASS OF BRUISES

Witnesses Tell of Condition in Which Body of Louis Was Found at Napa Asylum.

DENIAL MADE THERE HAD BEEN A STRUGGLE

Expert Kytka Presents Life-Size Portraits Which Show the Abrasions and Wounds on the Dead Man's Body.

Special Dispatch to the "Chronicle."

NAPA, March 23.—The trial of Shanahan and Retzman of the Napa State Hospital, charged with killing a patient, was resumed this morning. Supervisor John McLaughlin of the hospital was called as a witness and stated that he went to Ward B on December 24th with Dr. Puleifer, first assistant physician; that the body of the patient, Louis, was lying on the floor with no clothes on it at all and no sheet over it; that Retzman said in response to questions that there had been no trouble with Louis. Supervisor McLaughlin noticed that the chest of the body was covered with bruises; that there were abrasions on the abdomen and two E shaped bruises, which had evidently been made by beating the patient with a strap with a brass buckle at the end of it. On cross-examination McLaughlin said that Louis was a powerful man, six feet in height and weighing 185 pounds; that he was dangerous and violent and had been for a week at a time confined in a heavy lock chair with his hands strapped on leather mitts.

Mr. K. Strong, a photographer, stated that on December 28th, three days after the death of the patient, he took two photographs of the dead body of Louis at the Morgue of D. S. Kyser in Napa. He made two good negatives, and then, at the request of District Attorney Benjamin, took them to Theodore Kytka, a photographer and handwriting expert of San Francisco, to have life-size enlarged photos made from the negatives.

Attorney F. R. Johnston for the defense made a strong effort to prevent the negatives being offered in evidence on the ground that they were taken three days after the death of Louis and therefore did not show the bruises, abrasions and marks on the body in exactly the same condition as on December 24th. After a long argument Judge Giesford admitted the negatives in evidence, after Mr. T. H. Stree of the State hospital had sworn that the body on December 24th was in the same condition as on the preceding day.

Theodore Kytka, the expert, was then called to the stand by the prosecution. He produced a sensation by a rising from behind a curtain two life-size photographs of the dead body of Louis showing E-shaped wounds on the abdomen made by the brass buckle and numerous bruises on the chest and head. He described in detail the manner in which the two enlargements had been made from small original negatives, each enlargement being six feet and a half inch in length, corresponding with Louis' height. The life-size photographs were admitted in evidence for the purpose of illustration and explanation.

Frank Teague, head attendant in Ward B on December 24, 1904, was next called and stated that Louis was a very dangerous and violent man. Coroner R. M. Kyser was on the stand when court adjourned at 5 o'clock. The case will be resumed Friday morning.

WOUNDS SHOWN BY PHOTOGRAPH

Life-Size Portrait of a Cadaver to Be Used in Trial of Asylum Guards for Murder.

Photographs six feet long of the cadaver of Joseph R. Louis, a patient in the Napa asylum and who is alleged to have been killed by T. D. Shanahan and Oscar Retzman, guards, on Christmas day, have been made by Theodore Kytka, the handwriting expert and document photographer, for use at the trial of the guards, which begins to-morrow before a jury at Napa.

Louis died suddenly after violent handling by the guards, and the autopsy surgeons found that ten ribs on the right side and nine on the left were broken and crushed in; there was a severe dislocation of the two first bones of the spinal column, and from the loins to the head and face there were in all 117 bruises, contusions and incised wounds. Some of the wounds were made by the heavy brass buckles of the straps cutting deep into the flesh, forming a perfect letter "E." Some wounds were evidently blows from the buckle end of the strap, and others were from kicks and possibly some blunt instrument. It is thought the ribs were crushed in by the guards jumping on him with their knees.

Immediately after the report of the autopsy surgeons, District Attorney Benjamin caused the arrest of the guards on the charge of murder, and they were held for trial without bail. Governor Paidee has interested himself in the trial, and has requested Attorney General Webb to assist the attorney for the State in the prosecution.

The photograph by Kytka is a gruesome piece of work and is probably the first time that photography has been used in this State in exactly this line of work. The dead man was exactly six feet in height and the photograph is life size. The enlargement is from a small negative by Strong at Napa and is remarkably clear and distinct, showing to the jury the bruises, contusions and incisions as plainly as though the victim's body was in court. The photograph was taken shortly after death, and the discolorations are not due to decomposition, as it is said the defense will seek to show. The photograph is startling and convincing evidence, and it is announced that the defense will make a slushy and determined fight to prevent its presentation to the jury.

MRS. CRAVEN DIES IN INSANE ASYLUM

Close of Remarkable Career of Woman Who Claimed to Be Fair's Widow.

Miserable End of "Politician" of San Francisco School Department.

Special Dispatch to the "Chronicle."

WASHINGTON (lat.), May 1.—Mrs. Nettie R. Craven died in the Mount Pleasant Hospital for the Insane Sunday. She had been sent there from Burlington, where she was adjudged insane. She had used opium. H. M. Elcher, an attorney, was her guardian, and got a monthly remittance for her support. She was born in Ohio in 1845. She had one sister here and one in Alledo, Ill. Her former husband, Professor Craven, taught in a college at Washington, D. C., until about a year ago, when he died.

For nearly a score of years Mrs. Nettie R. Craven was known as the "politician" of the San Francisco School Department. She was connected with the schools of this city for eighteen years, and in 1927, after her name became prominently connected with the Fair case and minor scandals, she resigned the principalship of the Mission Grammar School. In many respects she was a remarkable woman. Her powers of combination, her intelligence and her influence over men no one disputed, yet she was rather feared than loved by the mass of teachers in the department. In spite of this secret hostility her strong personality always enabled her to command a leading place in their meetings, and often a preponderance in carrying out her views.

Mrs. Craven was probably in the height of her glory during the Board of Education presided over by Charles B. Stone. Her word was then law in the department, and many were the surmises as to the source of her occult influence. Mrs. Craven was for several years a member of the Board of Examiners. She was a woman who had read, studied and traveled extensively, and possessed qualities for self-advancement equaled by few of the stronger sex.

The seven-year fight of Mrs. Craven to obtain a portion of the \$12,000,000 Fair estate is even yet fresh in the public memory. After failing to establish the validity of a will and two deeds for real estate valued at several



Mrs. Nettie R. Craven.

million dollars, Mrs. Craven electrified the community by announcing that she was the widow of the deceased millionaire. It was on the 13th of February, 1900, that she first told her strange story. She had come with Senator Fair in the latter part of July, 1892, to San Francisco, so she said, where a contract was witnessed by Justice of the Peace Simpton, which she termed a marriage. Later Judge Trout decided that the San Francisco marriage was a figment of the imagination, as invalid as the alleged pencil will and deeds offered by Mrs. Craven to show the provisions Fair had made for her during his lifetime. It was also adjudicated that the contract, even if signed by Fair, did not constitute a marriage.

A charge of perjury was brought against Mrs. Craven and under the strain her health broke down and her ravings led to her being pronounced insane by her physicians.

After her failure to establish herself as Fair's widow Mrs. Craven spent much of her time in St. Louis at the home of her daughter, Mrs. Henry Koehler, the wife of a rich brewer. Mrs. Koehler attained considerable fame as an actress under her maiden name, Margaret Craven.

AY. MAY 2, 1905.

PLEA OF MURDERESS IS GRANTED



Mrs. Cordella Botkin, Awaiting Sentence for the Murder of Mrs. John P. Dunning and Mrs. Dean by Means of Poisoned Candy, Who Will Be Released for One Hour To-Day to View the Remains of Her Only Son.

MRS. BOTKIN TO SEE BODY OF SON

Convicted Murderess Will Be
Allowed to Weep Over the
Remains of Her Only Child.

Mrs. Cordella Botkin, who is languishing in jail awaiting sentence on the charge of having caused the death of Mrs. John P. Dunning and Mrs. Dean by means of poisoned candy, will be permitted to view the remains of her only son, Beverly Botkin, who died at Byron Springs April 29th. Judge Carroll Cook of the Superior Court, before whom the convicted woman was tried, was appealed to to issue an order to permit the mother to view the remains of her dead son and to attend his funeral. Judge Cook did not feel that he had the power to instruct the Sheriff, or to issue an order to that effect, but he sent a note to Sheriff Carlin permitting him to allow Mrs. Botkin to view the remains of her dead son. The prisoner will be escorted by a deputy sheriff from the County Jail to the undertaking parlor, 243 Mission street, at 10 o'clock this morning, remaining away from the jail one hour. Nothing is said to the permit about the funeral.

Beverly Botkin was the only child of Cordella and the late Welcome Botkin. He was 25 years of age and had been a sufferer for months. The immediate cause of his death was nephritis uraemica. He was a widower. His father died just one year ago on the day coinciding with the death of the son, responding with the death of the son. Mrs. Florence Roberts of 214 Leavenworth street, who is identified with the Beth Adriel Mission of San Jose and has befriended Mrs. Botkin during the latter's trial, prevailed upon Judge Cook to issue the permit. Mrs. Roberts made a similar request when the elder Botkin died, but Judge Cook refused to intercede at that time because Botkin had been divorced from his wife. The son, however, has always been loyal to his mother, and Mrs. Botkin regarded him with great affection.

A Big Show.

Therese Kytko, the hand-writing expert, passed through Richmond on Sunday night in company with Peter Paquette, of Ft. Defiance, interpreter, and a band of Navajo Indians from the reservation near Guadalupe, New Mexico. Mr. Kytko is arranging an Indian fair at Mechanics' Pavilion which will be conducted from to-day, to April 15, inclusive. This fair is for charity, to raise funds for the erection of a hospital at San Francisco.

The TERMINAL, on invitation from Mr. Kytko, went to the Pavilion this week and took a bird's eye view of the interior appointments of the artificial "forest primeval." One is impressed as having entered a dark forest in which the ceiling of the pavilion is the canopy and the sides, one extensive panorama, the horizon of the wilderness. One expects to find anything from an Adam and Eve to a dinosaur. Wild game were grazing on the rocky pinacles and "Billy Kid" and "Old Billy" of the Royal Neighbors, Pecos and Modern Woodmen were up there browsing fitting for another big initiation.

Wild game, fish, fowl, deer in wire enclosures, elk and savage animals were indications of the "Happy Hunting Grounds" of Poor Lo, the redskin. On the lap of Earth were real dead leaves. There is a real lake with a real Indian in his canoe watching Laughing Water, the falls of Minnehaha. There are fowl on the waters of Gitchie Gannee, "Big Pond." There is far in the distance a beautiful panorama mountain scenery commingled with the real in artificial blend, showing near and afar, the different levels and the hazy blue distant mountains capped with snowy whiteness from which leads the cascade to the lake, an awe-inspiring scene. There are wild animals everywhere and fish in aquaria, and a live wild coyote escaped and is hidden securely in the scenery. There is a fine shooting gallery where red skins and the pale faces may try their marksmanship. There are exhibits of Indian relics and modern exhibits, a collection of mounted animals, California woods.

M'GLADE SAYS "COME ALONG, HARRY"

Bunkers, the Convicted and Sentenced Ex-Senator, Receives a Message From Peter at San Quentin Prison.

Legislative Message to "The Bulletin." SACRAMENTO, May 1. At 10:15 a. m. this morning has been received for Harry Bunkers, the ex-senator, who is still an inmate of the County Jail and a close prisoner. This morning Deputy Sheriff Ed Heever, who returned from San Quentin, where he took a prisoner, delivered a message to Bunkers from Peter McGlade, ex-chief of the Board of Public Works of San Francisco, who is serving a term of imprisonment in the same institution.

McGlade said: Tell Harry Bunkers for me, not to beat around the bush, but to come right down here and go to work, as all term will be through soon. Tell him not to let the lawyers give him out and ask about beating the case in the higher court, for they won't do it.

Tell him to take the advice of an old "son," and get here and begin settling your case as quickly as he can. I spent over two years in the County Jail with the assurance that I would get free, and it was two years wasted.

McGlade's message was delivered to Bunkers, but the latter only laughed and said: "I am afraid that Peter would ever see me down there, and I certainly cannot follow his well-meant advice, not now."

GAY LAYMANCÉ TO PAY FOR FEATHER

Chauffeur Acted Under Direction of J. Walter Laymancé When He Plucked Plumage From Park Peacock's Tail.

Two hundred dollars is the valuation of a peacock feather when plucked from the tail of one of the show birds at Golden Gate Park. This was the fine fixed by Judge Cabanis in the case of Floyd Free, the young chauffeur who was arrested at the instance of the Park Commissioners, and whose trial was held this morning.

The auto-driver is in jail, being unable to pay the fine, but Park Commissioner Reuben Lloyd, who conducted the prosecution in court this morning, succeeded in making the defendant admit that J. Walter Laymancé, real estate agent, man about town, and prominent in Alameda county Democratic politics, was in reality the party responsible for the commission of the offense, and an effort will be made to force him to pay the chauffeur a fine.

Free admitted his guilt, but said that he had been induced to pluck the feather from the peacock's tail by the man who employed him to take a journey through the Park. At first he refused point blank to give the name of the man who employed him, or his woman companion, but under the cross-examination of Commissioner Lloyd he finally said that the man was no other than J. Walter Laymancé, and the woman with him was Lillian Winters, an actress identified with a traveling theatrical company.

"Mr. Laymancé employed me for the trip," admitted the witness under protest, "but I did not desire to get him mixed up in the affair at all. He had Lillian Winters with him, and the pair were rather gay. When we were going through the Park the woman approached the peacock, noted their beautiful plumage and said she would like to have a feather for her hat."

"Your wish is law," said Laymancé, with a wave of the hand. "Better, get out and pluck the lady the finest bit of plumage the bird wears."

"There was nothing to it but for me to obey, and I did as I was directed. That is all there is to the story."

After some persuasion the chauffeur was induced to swear to a complaint against Laymancé, and a warrant was issued for the latter's arrest by Judge Cabanis. In the warrant bail is fixed at \$200, the amount of the chauffeur's fine.

Laymancé figured in the courts of this city recently in the case of a Mrs. Gray, whose arrest he caused on a charge of forgery. It developed during the preliminary examination that Laymancé had been intimate with the woman, and although he declared that a check offered in evidence was forged, Expert Kytko testified that it had been written and signed by the complaining witness. Judge Cabanis dismissed the case.

June 13 - 1905

THE SAN FRANCISCO EXAMINER

"God forgive him; he has taken away a sorely tried woman's only little possession in life, for no cause. I cleaned the dingy place and painted it. That little room has been my only anchor to sanity."—MRS. CORDELIA BOTKIN.

GRAND JURY ENDS LUXURY AT JAIL FOR MRS. BOTKIN

ORDERS HER PUT OUT OF ROOM SHE FURNISHED

Woman Convicted of Killing
Mrs. John P. Dunning Declares
That Foreman Andrews Is
Acting in a Spirit of Revenge

ASKS TO BE TAKEN AT
ONCE TO SAN QUENTIN

Mrs. Cordelia Botkin, the twice convicted murderess, has been turned out of the little room she has occupied in the Branch County Jail for the past six years, since, in fact, the day in December, 1899, when a jury in Judge Cook's court found her guilty of the murder of Mrs. John P. Dunning through a box of poisoned candy sent to the Dunning home in Dorar, Del.

The heavy hand of the Grand Jury has fallen upon Mrs. Botkin. Quite recently Foreman Andrews and a committee of the Grand Jury paid a visit to the Branch County Jail and found Mrs. Botkin installed there in a condition of comfort almost approaching luxury, a condition which they considered fit punishment for a woman under sentence of life imprisonment. So the order has gone forth to change all this, and hereafter Mrs. Botkin must fare no better and no worse than the other female inmates of the jail.

Though twice tried, twice convicted and twice sentenced to life imprisonment for her crime, Mrs. Botkin has not yet seen the inside of a State prison. Though it is upwards of six years since a jury first passed upon the question of her guilt, the law a delay has favored her. Granted a new trial owing to admitted error in Judge Cook's charge to the jury, Mrs. Botkin underwent her second trial little more than a year ago, and her appeal from the second judgment and sentence is still pending in the Supreme Court. During all these years, then, she has remained in custody of the Sheriff of this city and county.

She has had a room to herself at the Branch County Jail. Being a well-mannered woman and possessing some degree of taste, she has labored to better her surroundings by herself fitting up and beautifying her apartment. The result has been a comfortable room, neatly furnished and upholstered and filled with book shelves and other commodities. The window has been embellished with flowers every day, in fact, Mrs. Botkin's quarters have been almost a show place for visitors to the Branch County Jail.

GIVES WAY TO GRIEF.

Mrs. Botkin broke down completely yesterday when word came from the Grand Jury was served upon her that she must give up her apartment. She spoke bitterly of Foreman Andrews.

"God forgive him," she said, "he has taken away a sorely tried woman's only little possession in life, and for no cause."

When she went to her attorney, Frank McGowan, and asked that she be sent at once to San Quentin rather than be forced to occupy quarters among the rogues and other unfortunates inmates of the jail. Interviewed by the "Examiner" representative, Mrs. Botkin made the following statement:

"Word came to me this afternoon that my 'luxurious' apartment with upholstered furniture must be given up and that I must expect no better treatment than the common drunk that drifts in and out of the jail. The 'luxurious' apartments' comprise the old, abused storeroom of the jail, and I have had the privilege of staying there apart from the others, under five Sheriff's. I cleaned the dingy place and painted it. With my own hands I built in shelves, a sink and other little conveniences with which my sister and I gave him a look at the cell, sanitary, tidy and the poor right to be alone. That little room has been my only anchor to sanity.

SAYS IT IS VENGEANCE.

"I can see no reason for this handling of a helpless woman except that Mr. Andrews wants punishment for my refusal to give testimony against the prison regime. He came in here some time ago and asked about punishment. He had heard against the authorities. I told him I had none to make and thought the nation and guards were humane and thoughtful and that the Sheriff was doing his best to make conditions here as bearable as possible. He sent the others out of the room and told me to speak with confidence, and that no one would ever know what information I gave him. I told him I had come to the wrong source, for I knew nothing to say against any of the prison authorities. I heard nothing more from him until the order came to send me out into the common dormitory for women."

Her attorney, in conference at the jail, said that Mrs. Botkin has had no special privileges at the institution beyond the use of the old storeroom. So far from being an extra care, she said, Mrs. Botkin has done her own cooking and washing, besides ministering to the needs of other prisoners at times.



MRS. CORDELIA BOTKIN, WHO HAS BEEN DRIVEN OUT OF HER COMFORTABLE ROOM AT THE BRANCH COUNTY JAIL BY THE GRAND JURY.

to the problem of health and sanitation.

Bankers Indicted

Special to the Daily News.

Fort Worth, Tex., May 20.—C. J. Lowden, O. W. Steffins and W. J. Thompson, president, vice-president and cashier of the American National bank at Abilene, were indicted by the Federal grand jury on a charge of embezzling the bank's funds to the amount of \$145,000, also making false returns to the comptroller of the currency. It is alleged the money was used in cotton speculation. Lowden was the Republican candidate for governor in the last campaign.

RAQUET KNEW NORA FULLER

WANTED TO TELL POLICE ALL HE KNEW OF CASE

Samuel Raquet, Waiter, Who Confided in Landlady That He Knew the Secret of Nora Fuller's Death.



THINKS DEATH DUE TO AN ACCIDENT

Police Investigating Story Told by Sam Raquet Before His Death in the Hope It May Clear Up Murder Mystery.

The police have commenced an investigation of the statement made by Samuel T. Raquet that he could clear away the mystery of the murder of Nora Fuller, who was killed in February, 1921. While they believe that Raquet was rambling, they are running down all the circumstances surrounding his death in the hope that it may give a clue which will throw some light on the case.

Raquet was found dead in his bedroom yesterday morning. He was lying naked on the floor and gas was flowing from an open jet. It is now believed that his death was due to an accident, as he was a sufferer from heart disease, and was heard to exclaim early yesterday morning, "Oh, God, won't somebody help me." As the lodger who heard the exclamation also heard a female voice a minute afterwards, he took it for granted that one of the married lodgers was in pain and his wife was assisting him.

It is thought that Raquet had an attack of heart failure just after he had turned the gas partially on.

Mrs. Clara E. Ronald, who manages the boarding-house at 2344 Mason street, where Raquet was a boarder, believes that he intended to give his secret to the police. It was to Mrs. Ronald that he confided the secret that he knew all about the murder, and that in the event of his sudden death papers would be found in his trunk which would clear up the mystery.

Mrs. Ronald says that when her lodger was asked if he knew Hadley, who was charged with the crime, he always evaded the question.

TORRENTS RUN OVER CITY STREETS

Downpour of Rain in Los Angeles Turns Business Thoroughfares Into Streams and Pedestrians Waded in Water.

LOS ANGELES, Cal., Feb. 10.—A heavy rain fell here today and tonight. Up to 3 o'clock this evening the precipitation for the day registered 7.7, and since that hour enough has fallen to make the total in the neighborhood of an inch. The rain began early this morning and continued intermittently until 9 tonight.

At times the rain fell in torrents and streets in the downtown and lower sections of the city were converted into freshets. Traffic was hampered and in some instances suspended for a time. Some damage was done in the lower sections by the overflowing of sewers, destruction of new streets and damage to buildings under course of construction. The principal business streets were raging streams and pedestrians waded through water nearly knee deep in many places or else paid youthful propellers a 5-cent ferry fee to be transported across by means of temporary ferries. In the agricultural sections the rain is welcomed and will result in much good.

I had a vivid or untrained imagination, or, in other words, that I made a false statement. The trouble is at your own door, not mine. The statement I made to the Examiner and the one I made to Captain Seymour do not contradict one another. I did not say one was Stern and one looked like Grant, but I did say that Madge Graham told me that one was her guardian and she addressed him as O'D. The man who was with Miss Graham that evening, January 11, whom you refer to as Mr. Grant, did not make any statement to me about drink, but a man did on the Saturday previous to the publication of the story of Nora Fuller's death."



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It is thought that Raquet had an attack of heart failure just after he had turned the gas partially on.

Mrs. Laura E. Ronald, who manages the lodging-house at 212 1/2 Naxon street, where Raquet was a boarder, believes that he intended to give his secret to the police. It was to Mrs. Ronald that he confided the secret that he knew all about the murder, and that in the event of his sudden death papers would be found in his trunk which would clear up the mystery.

Mrs. Ronald says that when her lodger was asked if he knew Hadley, who was charged with the crime, he always evaded the question.

"It will all come out when I am called again," said Raquet.

"Do you think it will ever be called again?" asked Mrs. Ronald.

"Most certainly it will," was the reply. It is on this conversation that the lodging-house keeper bases her opinion that the man would have told all he knew had not death intervened.

Raquet was questioned in regard to the Fuller case on March 15, 1927, by the then Captain of Detectives John Seymour. He was a waiter in a restaurant on Geary street in which the unfortunate girl and her murderer are supposed to have eaten their last meal.

A letter addressed to the editor of The Bulletin was found in the dead man's trunk. It was dated March 11, and reads as follows:

San Francisco, March 11, 1927.
"Editor Bulletin—Dear Sir: In yesterday's issue of your paper some of your contemporaries made the statement that

TORRENTS RUN OVER CITY STREETS

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LOS ANGELES, Cal., Feb. 10.—A heavy rain fell here today and tonight. Up to 5 o'clock this evening the precipitation for the day registered 77, and since that hour enough has fallen to make the total in the neighborhood of an inch. The rain began early this morning and continued intermittently until 9 tonight.

At times the rain fell in torrents and streets in the downtown and lower sections of the city were converted into freshets. Traffic was hampered and in some instances suspended for a time. Some damage was done in the lower sections by the overflowing of sewers, destruction of many streets and damage to buildings under course of construction. The principal business streets were raging streams and pedestrians waded through water nearly knee deep in many places or else paid youthful propellers a 5-cent ferry fee to be transported across by means of temporary ferries. In the agricultural sections the rain is welcomed and will result in much good.

I had a vivid or untrained imagination, or, in other words, that I made a false statement. The trouble is at your own door, not mine. The statement I made in the Examiner and the one I made to Captain Seymour do not contradict one another. I did not say one was Sterns and one looked like Grant, but I did say that Madge Graham told me that one was her guardian and she addressed him as O'D. The man who was with Miss Graham that evening, January 11, whom you refer to as Mr. Grant, did not make any statement to me about drink, but a man did on the Saturday previous to the publication of the news of Nora Fuller's death."

The following extract from The Bulletin of March 15, 1927, is the article to which the writer refers: "Raquet came out in the Examiner yesterday with the story that on the night of January 11, a few hours after Nora Fuller disappeared, he saw Madge Graham, a girl that answered the description of Nora Fuller, in the Lorentz Cafe, 123 O'Farrell street. One of the men, he said, was Edward H. Sterns, the guardian of Madge Graham, and the other looked like Hugh C. Grant, the attorney who gave the Fuller girl the dress that she wore at the time of her death. The man who looked like Grant talked of falling to get any sleep; that he was a hard drinker and that he had been drinking the night before. Raquet evidently forgot the statement he made to the police on February 14, just six days after Nora Fuller's body was found in the house at 2211 Sutter street."

Wyman Will Go Across Bay to Begin Serving Time



Charles Wyman, the Convicted Ballot-Box Stuffer, Who Will Start for the Penitentiary To-Morrow.

CONCLUDES THAT HE IS DE-SERTED

Promised Protection From the "Higher Ups" Did Not Materialize, and He Thinks He Will Try San Quentin.

CHARLES WYMAN, the convicted ballot-box stuffer, has concluded to take the medicine that was prescribed for him by Judge Lawlor, as a penalty for his crime without further delay. He will be taken to San Quentin tomorrow afternoon and there join Adolph Steffens, who wisely concluded some time ago to go to the State penitentiary, that the term of his imprisonment might run against his sentence instead of wasting time in the County Jail pending his appeal from the judgment of the Superior Court.

The reason assigned for this last move on the part of the stuffer gang is that Wyman's health is not good, and that he prefers the open air and sunshine at San Quentin to the confined atmosphere of the branch jail on Broadway. Wyman, who was arrested on the complaint of Fairfax Wheelan last September for fraudulently voting the name of S. H. Mann in the August primary at the polling place corner of Bush and Baker streets, first saw the inside of the County Jail October 31st, last year. Prior to that time he had been given his freedom on bonds furnished by the administration. He was released on the day of his commitment on bonds also furnished by the administration, which was actively represented in the ballot-box stuffing cases by Frank Macsirell, president of the Board of Public Works.

LONG TIME IN JAIL

Wyman was again placed in the custody of the Sheriff January 13, 1905, he being put on his defense on that day. He was found "guilty as charged" by the jury January 14th, and on the 31st of that month was sentenced to a term of three years in State Prison. Wyman has been continuously confined in the County Jail for five and one-half months. During that time he has been doing some thinking, and has come to regard with suspicion the promises of the administration gang, under whose orders he committed the crime for which he is now paying the penalty.

The convicted ballot-box stuffer received many visitors at the Broadway Jail, including his wife, and it is said that these visits have had a most depressing effect upon the prisoner. The visits of members of the administration to "hedge him up" and plead with him not to divulge their connection with the ballot-box stuffing crimes and the orders they gave him and others in that connection have created a feeling of disgust in Wyman, and it is as much to avoid these visits of his fellow criminals as for any other cause that he had decided to meet his fate in San Quentin.

Wyman has not a particularly rugged constitution, and his confinement in the badly ventilated jail has not improved his health, although his physical condition is as good as might be expected under the circumstances. His father and his attorney, R. H. Countriman, have visited Judge Lawlor with a view to securing his release on bail pending the determination of his appeal to the Supreme Court. The Judge stated that he would not consider a proposition of release on bail except under the most extreme conditions—for example, if the prisoner's life was in the balance. Otherwise Judge Lawlor would require the same showing to be made by the prisoner as would the Supreme Court.

DISTRUSTS PROMISES

Wyman had also developed a very comendous distrust of the promises of the "higher ups" in the crimes against the ballot-box to save him by appeal. The appeal was based largely upon claims that the primary election law in itself was unconstitutional, and that the proclamation for the election had not been advertised as required by the statute. It was also claimed that under the primary law, as it existed in August, 1904, false impersonation of an elector was not a crime. That defect in the law, if such there was, has been remedied by an act of the Legislature passed at the session of 1905.

Wyman finally decided that he wished to go to San Quentin, and on Friday last Judge Lawlor issued the order of commitment. The convicted ballot-box stuffer will be taken across the bay to-morrow afternoon. The Judge also made an order, at the request of the prisoner, that the latter be allowed two hours in which to leave the jail and arrange his private affairs prior to being taken to San Quentin to serve three years for stuffing a ballot box by order of the "higher ups" of the administration.

'MIXED BEANS' IS LATEST CRY AT SAN QUENTIN

Fred Coulter Is Trapped by a Prison Sherlock Holmes, and Is Found Guilty of Sending Morphine Into the Jail.

[Special Dispatch to "The Examiner,"]

SAN RAFAEL, August 23.—After a somewhat interesting trial Fred Coulter was convicted by a jury, before Judge Lennox here, to-day on a charge of smuggling opium into the San Quentin prison. Up to the time of his arrest Coulter followed the occupation of restaurant waiter in San Francisco. He would probably be pursuing it now if it had not developed that an eighteen-karat Sherlock Holmes was turning a section of the brass-bulleted guard line of San Quentin in the person of James Gorman.

Fred Coulter has a brother in San Quentin who is addicted to the use of morphine. On July 7th Fred visited his brother and promised to send him a supply. He failed to keep the promise and his convict brother wrote a letter, which he gave to Convict Norton, who to turn gave it to Convict Mays, for delivery to a deckhand on the steamer *Caroline* as she lay at the prison wharf. Mays saw his opportunity to ingratiate himself with the authorities and gave the letter to Guard Gorman, who immediately made a full copy. Recalling the message he told Mays to go ahead and put the letter on the boat.

Behind a pile of juke Gorman whispered to Convict Mays to watch for the morphine and when the drug came and was delivered, he should say, "The beans, sir, are badly mixed on the wharf." In due time Mays got the morphine and handed it to Gorman.

Taking his copy of the convict's letter Gorman went to San Francisco and found his way to Tehama street and the room of the defendant Coulter. He told Coulter that he was a guard at the prison and that his brother had sent him to see why "the stuff" had not been sent over. Coulter told him the trap and replied that he had sent it as directed in the letter. He even went to his trunk and gave Gorman a few grains to take over until the other big bunch should arrive.

The rest of the peculiar case was finished by Sheriff Taylor, District Attorney Floyd and twelve good men. Fred Coulter will go to prison for from one to five years, and the phrase "mixed beans" has so taken the fancy of the officials that it is sure to be added to the prison's slang vocabulary.

July 25 - 1896.

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THE CITY ARGUS.

BELL'S ASSAILANT.

A SENSATIONAL STORY.

YOUNG DARILLAS DENIES HE WAS INVOLVED, AND FRANKLY DECLARES HE DOES NOT KNOW THE MAN.

A sensational story has appeared in a daily of this city trying to involve Alphonso Barillas, son of Gen. M. L. Barillas, in the mystery relative to Fred Bell's injuries. Fred Bell on April 24th fell or was thrown over the banisters of the residence of a Mrs. Ferry at 1107 Bush St. Bell was for a long time unconscious and his life was despaired of. He is now recovered mentally, and is in the road to rapid recovery. Bell is now thinking over the accident happened, but according to the reports he is recollecting all the time. The sensational sheet says that the event of Bell's fall is held by three people, one of them being Theodore Kytka, the well-known artist who resides in the house. Mr. Kytka, the sheet says, declares he will not open his mouth until Dr. Kearney allows him to tell Bell who was responsible for his fall and how it came about; that the physician does not desire Mr. Kytka to tell him now, but he will do so soon, and then it can be made public for all to hear. It goes on and says there is every evidence that Alphonso Barillas was the cause of Fred Bell's fall though he did not intend to kill or seriously injure him. It is said Bell on that eventful night took a Mrs. Haines, who lives at the house, home from the Orpheum and went away. That he went down town and drank and returned in the house at 1107 Bush Street to see Mrs. Haines. He was let in by the landlady and went up stairs. At the door he met Barillas who made a rush at him and Bell was not in condition to stand a blow, staggered back and fell over the banisters to the floor below. That's the gist of the story.

Alphonso Barillas on the publication of the sensational story said: "If I had been equally accused of murder I could not have experienced a greater shock than this bit of news. I would completely ignore the insinuations were it not for the fact that my father's attention was called to the publication."

"Naturally he is deeply pained at the thought that I have been dragged into such a disgraceful affair." "So far as I am personally concerned there is not a word of truth in the story. I do not know young Bell, never heard of Mrs. Ferry or Mrs. Haines, nor was I to my knowledge in the house kept by the former lady. Previous to and for many days after April 24th, the morning in which the accident occurred, I was closely attending my studies at 1125 Fillmore street. I never lived at the Occidental Hotel and am prepared to prove a complete alibi in this matter and hardly think it necessary for I am confident that when Mr. Bell is able to tell his story it will entirely relieve me of any connection with the affair."

Mr. Kytka, the artist alluded on being interviewed in the matter by the publisher of this paper, said that though he did not think to give any information at this time relative to how Bell received his in-

juries was frank to say Mr. Alphonso Barillas was not connected in the affair at all. Mrs. Ferry also told the publisher of the Argus that young Barillas was never in her house; didn't know, and never saw him. The sensational yarn cannot damage Mr. Barillas in the least. His friends take no stock in it. Mr. Bell no doubt at the proper time will say he does not know Mr. Barillas. Bell, the sheet says "told a friend he had an idea that a man came rushing at him who was stopping at the Occidental hotel, yet Barillas lived at the time on Fillmore street so he can prove, yet the vile sheet insists after Senor Rivers declared he no longer lived at the Occidental hotel declares he was living there all the time. We feel a great injustice has been done Mr. Barillas, yet in these days of startling sensations and reckless journalism the public take but little stock in such stories, especially when a man like Mr. Barillas frankly declares he knows absolutely nothing about Bell's injuries, and Mr. Kytka says the same."

JOSEPH P. KELLY, ESQ.

THE POPULAR NATIVE SON AND ABLE LAWYER.

Regular Democratic Nominee for Congress 5th District.

Joseph P. Kelly, Esq., was nominated for Congress at Redwood City by the Democratic Convention of the 5th District at Redwood City last Monday over J. H. Barry and T. J. Clunie. The nomination was made unanimous amid great cheering. James Denman who ran independent in opposition to Mr. Kelly two years ago was the Chairman of the Convention. George W. Fox who strongly opposed Mr. Kelly's election at that time seconded his nomination. The nomination of Mr. Kelly is the strongest that could be made. The great run he made in the last fight, though handicapped by a bolting Democrat who had the support of a faction of the party, made Mr. Kelly the logical candidate this year. The Democrats all over the district hail his nomination with great glee. The Native Sons are jubilant, and they will take their coats off and work for him with vigor. Mr. Kelly is a bright and prominent young attorney who has won distinction at the bar. When he was nominated two years ago he was not well known, but to-day he is admired by all classes of people for the gentlemanly campaign he then made. The power of the corporation could not defeat his nomination this year.

Mr. Kelly will make a very aggressive canvass and will run on election day like wild fire. He is a very eloquent speaker who is well read and is alive in the issues of the day. He will do great service when he goes to Congress for the people of his district. In Hayes Valley the people are very jubilant. They have known J. P. Kelly since childhood and know he has always led a pure and honorable life. Mud was hung at him two years ago but it did not stick. Those in his party that took such a hard task to crush him, now say they did wrong and are for him. J. P. Kelly will poll the strength of his party vote. Hundreds of personal friends in the Republican and Populist party will support and vote for him. The people realize he is a man who always can be found

standing up for the courage of his convictions. From Santa Clara we learn that there is great rejoicing at his victory. San Mateo will roll up a big vote for him. His great popularity in those counties is too well known.

J. P. Kelly stands on record as not being a professional politician, he despises the dirty political corporation lunchmen, and will stand true to the people. He is a broad-minded liberal man, who abhors religious persecution in politics. He is a brainy young man and a most popular Democrat. His life is as pure as the driven snow. The many congratulations that are daily pouring in on Mr. Kelly over his nomination is certainly most gratifying to him. Vindicated by a convention most representative in character must denote to the impartial observer, that no mistake was made in placing Joseph P. Kelly up for Congress.

NOTICE TO CREDITORS.

Estate of Christian Flor, deceased.

Notice is hereby given by the undersigned, A. C. FRIESE, Administrator of the estate of Christian Flor, deceased, to the creditors of, and all persons having claims against the said deceased, to exhibit them with the necessary vouchers within four months after the first publication of this notice, to the said Administrator, at room 35, Chronicle Building, the same being his place for the transaction of the business of the said estate, in the City and County of San Francisco, State of California.

A. C. FRIESE,

Administrator of the estate of Christian Flor, deceased.

Dated at San Francisco, June 5, 1896.

J. D. SCHWAB, Attorney for Administrator.

Mrs. Melville Snyder.

SHAKESPEAREAN
ORATORICAL
VOCAL MUSIC and
PIANO STUDIO

715 POST STREET
Bet. Jones and Leavenworth.

Dramatic Elocution a Specialty VOCAL CLASSES

Ladies and Gents Coached for
Private Theatricals. Appearances
Arranged.

Every Monday evening. \$1.00 per month.

BEAT & BELCHER MINING COMPANY.—Location of principal place of business San Francisco, California, location of works, Virginia Mining District, Storey County, Nevada.

Notice is hereby given that at a meeting of the Board of Directors, held on the second (2d) day of July, 1896, an assessment (No. 60) of Twenty-five Cents (25c.) per share was levied upon the capital stock of the corporation, payable immediately in United States gold coin, to the Secretary, at the office of the company, room 33, No. 350 Montgomery street, San Francisco, California.

Any stock upon which this assessment shall remain unpaid on the sixth (6th) day of August, 1896, will be delinquent and advertised for sale in public auction; and unless payment is made before, will be sold on THURSDAY, the 27th day of August, 1896, to pay the delinquent assessment, together with costs of advertising and expense of sale.

By order of the Board of Directors

M. JAFFE, Secretary.

Office—Room No. 33, Nevada Block, No. 309 Montgomery street, San Francisco, Cal.

CHADWICK MUST SERVE SENTENCE

District Court of Appeals Refuses
to Grant Rascal a New
Trial.

Ernest Moore Chadwick, alias "Sir Harry Westwood Cooper," who was sentenced in the Superior Court in 1901 to serve ten years on a perjury charge growing out of a case being prosecuted against him at that time for forgery, was yesterday refused a new trial by the District Court of Appeals and must serve the sentence imposed by the lower court. Since his first sentence Chadwick has been confined at the County Jail.

Chadwick sent a telegram to Norine Schneider of Clarklet purporting to come from her mother, in which he advised her to do whatever "Harry" should advise. Chadwick followed up his own telegram of advice by requesting the girl to elope with him to Oregon, where they were to be married. When the couple arrived there they were arrested and Cooper brought back to this city for trial. The perjury was committed by Chadwick while testifying on the stand in his own defense. In affirming the verdict of the lower court the District Court recommended that the District Attorney withdraw the forgery charge pending against Chadwick and permit the sentence on the perjury charge to become operative. The five years that Chadwick has passed in the County Jail will not be deducted from his period at San Quentin. Chadwick was arrested in the Schneider case scarcely a month after he had been freed from San Quentin after having served a three years' sentence for forging a draft on the Bank of New South Wales.

JULY 15, 1906.

M'GLADE QUILTS SAN QUENTIN WALLS

Forger Released on Parole
With Over Two Years
Yet to Serve.

Special Dispatch to the Chronicle.

SAN QUENTIN, July 14.—Peter W. McGlade, who was sentenced in June, 1903, to eight years for forgery, was paroled at the meeting of the prison directors to-day. He had two years and four months yet to serve. McGlade was chief clerk in the office of the Superintendent of Streets during 1899 under Ambrose, and was arrested on the charge of having forged several vouchers.

Criminal political influence was brought to bear on the case, resulting in a disagreement of the first jury, and likewise a second and third. Finally Judge Burnett of Sonoma county tried the case and McGlade was convicted.

The following petitions were also acted on: J. H. Stevenson, from Sonoma, sentenced in 1901 to seven years, paroled.

In the case of W. R. Lane it was recommended that he be paroled, subject to the approval of the Governor. He was sentenced in 1894 to life for murdering Jess K. Poulk.

Michael Kling, three years, pardoned, with five months yet to serve.

James Watson, for arson, paroled, with three years left of a seven-year sentence.

J. K. Boyes, sentenced on assault and attempt to commit murder from Colusa in March, 1904, paroled.

William Pike, better known as "Indian" Pike, was paroled. He was a life-terminer, and had been in San Quentin twenty-four years lacking two months.

Ernest Dowle lost his credits, consisting of one year and ten months, for trying to escape to Arizona. He was also ordered transferred to Folsom.

SIR 'HARRY' COOPER TO RETURN TO SAN QUENTIN

Ten-Year Sentence of Superior Court Upheld by Appellate Branch.

Though "Sir" Harry Westwood Cooper has been in California ten years, he has spent only two months of that time out of jail. And if he lives ten years longer, by the terms of the decision handed down yesterday by the District Court of Appeals he will spend the next ten years there. For the decision rendered in confirming the sentence of the Superior Court, that "Sir" Harry Westwood Cooper, alias Ernest Moore Chadwick, shall spend the next ten years of his life in prison at San Quentin for the crime of perjury.

The Appellate Court's decision also carries a recommendation that the charge of forgery, for which Cooper was indicted and tried, with a resultant disagreement, before his conviction on the perjury charge, shall be dismissed, in order that the sentence spelled may immediately become operative.

Cooper's career has been a spectacular series of passages from cell to cell, under various duds. He is about thirty-five years old, claims to have been born in Dublin, and passed, most of the time, as the son of Sir Ashley Cooper, who used to be known to the Queen. He migrated to Australia in his youth, was imprisoned there for irregular practice of medicine and obtaining of money under false pretenses, and when his last sentence expired in that colony came over to Canada. In Canada he married a girl named Maud Campbell, whom he took to Chicago, where he neglected her to make love to their landlady. Having got the landlady's money, he brought his Cooper to San Francisco, and was preparing to elope with a chambermaid of the Hotel Langham, where they were living, when he was arrested for uttering a fraudulent draft on the Bank of New South Wales.

He served three years in San Quentin for that crime. A month after his release he sent a telegram to Norine Schneider of Crockett, bidding her "Be as Harry tells you," and signed the name of Norine's mother. Norine did as Harry told her, which meant that she married him and went with him to Oregon. There, trailed by Norine's angry mother, he was again arrested and brought back for forging a telegram with intention to defraud. Norine's marriage was annulled. "Sir" Harry was tried for forgery. He went on the stand in his own defense, and when the jury disagreed he was promptly haled back into durance on the perjury charge. That was in 1901. He has been in the County Jail ever since.

Bench Warrants For These Two

Jos. De Ryama and Arillo Corta, accused of swindling Salambel Bros. out of an insurance policy calling for \$1600, and which they compromised for \$360, did not appear in Justice Judge Shorall's court this morning, and bench warrants were issued for their arrest.

C. E. Mitchell of the Hamburg-Bremen Insurance Co., who refused yesterday to deliver papers connected with the case in his possession to the court, appeared with his attorney, C. E. Van Ness. It was explained by Van Ness that Mitchell's action yesterday was caused by his ignorance of court procedure and not from any desire to attempt to conceal any connection that the Hamburg-Bremen Co. had with the handling of the policy which resulted in the arrest of Corta and De Ryama.

The case was continued until Monday, when, if the two defendants do not appear, their bail for \$500 each will be declared forfeited.

ON TRIAL FOR FORGING PROOF OF FIRE LOSS

Joseph M. Ryan and Arillo Corta
Before Judge Lawlor.

The trial of Joseph M. Ryan and Arillo Corta on a charge of having forged the name of Pasquale Sollimena to a false proof of loss for \$2,000 on the Hamburg-Bremen Insurance Company was commenced yesterday before Judge Lawlor. Assistant District Attorney O'Garra in his opening statement said he expected to prove that the defendants first importuned Sollimena to sign a power of attorney but that he refused. He declared the prosecution would show that the defendants secured his signature to a blank piece of paper by a trick, and over the signature wrote an assignment of the insurance policy. The company was not satisfied with this and afterward O'Garra said he would show that the defendants forged the name of Sollimena to a power of attorney and also to the proof of loss, using as a guide the genuine signature on the assignment.

Pasquale Sollimena, Alfonso Sollimena, Charles E. Mitchell of the insurance company and Theodore Ryka, the handwriting expert were the witnesses examined yesterday.

DID NOT KNOW HIS INSURERS

Pasquale Solemina's Lawyer
Tells of Long Search for
Client's Policy.

David Cosgrave was on the witness stand in Superior Judge Lawlor's court yesterday, telling the story of his search for the insurance company in which Joseph Di Ryana and Arthur Maria, insurance brokers on trial for forgery, had insured their friend Pasquale Solemina. He took him a month to find the name of the company, as Solemina was kept in ignorance by the brokers. The search began about May 14th, when Solemina was beginning to be suspicious of the defendants, notwithstanding their repeated assurances that he was safe, and that a good company had been made responsible for his loss. But the name of the company was kept hidden, like a needle in a haystack.

After a long search, Cosgrave discovered that the Hamburg-Bremen Company was the one he was looking for.

"I was in the Hamburg-Bremen office on June 17th," said Cosgrave, "and saw there what purported to be an assignment of Solemina's interest. I noticed that it bore no notarial certificate. The next day I went there again, and a certificate had been attached."

Di Ryana claims that it was attached on May 23rd, as must have been the case, unless Notary Thomas S. Burnes allowed a falsely dated certificate to be issued. Solemina says that the whole assignment was written by the defendants on a piece of paper to which they had first induced him to sign his name.

Two other documents besides the assignment are claimed by the prosecution to be false. The proof of loss, upon which the defendants received \$1000 in full payment of Solemina's \$2000 policy, is said to have been a forgery pure and simple, as was an alleged power of attorney, empowering the defendants to collect the money.

An important bit of evidence was the testimony of John Galliano, of 231 Prentiss street, who swore that Solemina was working for him on the date when, according to the statements of Carla and Di Ryana, he was at the notary's office, acknowledging the proof of loss.

SEAL OF A NOTARY IN QUESTION.

Testimony was introduced yesterday in the Di Ryana-Carla forgery trial tending to show that the acknowledgment of an alleged assignment of interest in an insurance policy from Pasquale Solemina to the defendants was not made on the day shown by the date on the instrument of acknowledgment, which was drawn by Notary Thomas S. Burnes.

David Cosgrave, an attorney, who was employed by Solemina to look up his policy of insurance and see what steps could be taken toward collecting on it, declared that after a month's search he found the policy in the office of the Hamburg-Bremen Insurance Company. The settlement on the policy had at that time been reached with Di Ryana and Carla, and the insurance company showed Cosgrave the alleged assignment of interest from Solemina to the defendants, on which the settlement was based. Cosgrave declared that when he first saw this paper in the company's office on June 17 there was no notarial certificate of acknowledgment attached to it, but that when he returned again the next day the acknowledgment was there in proper form and dated May 22.

Di Ryana claims that this seal was put on the instrument on May 22, but Solemina declares that it was not, and Cosgrave's evidence was used to back this statement. The proof of loss, which Solemina was alleged to have signed before Notary Burnes on May 31 at the latter's office, was also called into question. The instrument bears the seal of the office and is dated that day, but Solemina testified that he spent the whole day working at the residence of John Galliano at 231 Prentiss street, and on the days preceding and subsequent to it. Galliano took the stand and added his testimony to that of Solemina, declaring that the latter could not have visited Burnes' office on May 31.

The case has been continued until Saturday morning at 10 o'clock.

SAN FRANCISCO CHRONICLE, SUNDAY, JUNE 25, 1905.

William Pinkerton Famous Detective tells Why Forgery Doesn't Pay



ALONZO J. WHITEMAN, the "Refugee" forger, awaiting trial in Buffalo.



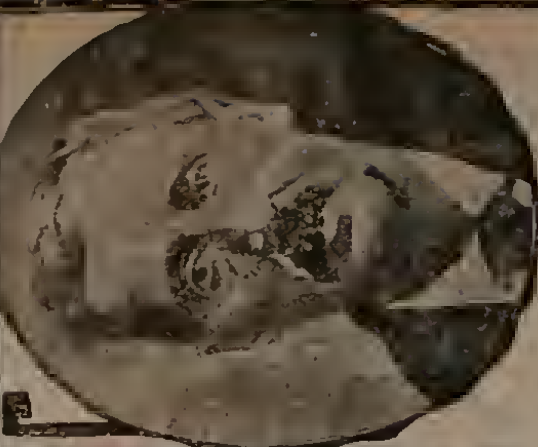
JAMES CREGAN, "the Admirable Cregan," once Becker's partner, now abroad.



CHARLES BECKER, the brazenest, most resourceful and daring of all the American forgers, now trying to make good honest living selling ink.



MICHAEL LEHR, "Jim the Penman," writes with either hand, recently released.



JOHN S. BRUSH, a remarkable artist with the hand and expert in illing in California.



OTTO DOUGHTERTY threw on the table a handful of checks apparently filled out in the handwriting of about forty men. There was the name of William Pinkerton.

EDWARD DAVIS

Chronicle
Aug 1 - 1917

KYTKA CAPTURES BOLD BURGLAR

Handwriting Expert, After Run,
Makes an Important
Arrest.

After an exciting chase along Ellis street yesterday afternoon, Theodore Kytko, the handwriting expert, captured a burglar and turned him over to the police.

Kytko, who was walking on Ellis street, saw the man run out of the Greystone saloon, at 1678 Ellis, and heard the cry of "Stop thief!"

The fellow was big and brawny, but, nothing daunted, Kytko started to pursue, overtook the fugitive at Fillmore street, and, grabbing him by the shoulder, told him he was under arrest.

Kytko then turned his prisoner over to Policemen Hostetter and Conlan.

At the City Hall Station the fellow gave the name of Henry Argens, and said he was a locksmith. He was booked on a charge of burglary.

Argens entered the rear room of the saloon shortly after noon yesterday and opened the coin box attached to a telephone in the room. He was in the act of pulling the nickels into his pocket when the bartender, warned by a burglar alarm attached to the box, entered the room. Argens ran out on Ellis street and turned toward Fillmore.

At the police station ten nickels were found in Argens' pockets and several tools for opening telephone boxes, pliers, skeleton keys and files. The police believe that Kytko has captured a man that has been responsible for a large number of telephone-box thefts which have recently been reported to the police.

GETTING READY FOR THE DUCKS

Volante Duck Club, Recently
Organized, Buys a Fine
Preserve.

Although the season for duck shooting is still some months away, the devotees of this sport are making ready for the opening. Good wild duck shooting grounds are in great demand, and any marsh that has a favorable appearance is gobbled up at any old price.

The latest sale of bog land for a hunting preserve consists of 500 acres of the north portion of Jotee Island, Suisun marsh. The sale was concluded recently and the grounds that were leased during the past three years by the Belvedere Gun Club will, in future, be shot over by some of the old members and a number of new recruits. The name of the new club is the Volante Duck Club. The members and purchasers of the duck swamp are Father John Rogers, Dr. Charles D. McGeittigan, Professor Theodore Kytko, J. S. Shronney, Nat Boas, Etkar Patnier, A. Kaufman, Mr. A. T. Leonard, E. Brower, W. Lyons, C. H. Blackley and Rev. P. D. Brady.

The property was formerly owned by Louis Titus, W. J. Hetchiktes and John Spring of Alameda. The purchase price has not been stated, but rumor says that the sellers of the mud flat shall realize a nice penny. Many necessary improvements will be made by the club before the opening of the season. One of the rules of the club states that any member who is caught in the act of shooting a duck on the set before or after breakfast will have to pay a fine of \$5 for every bird shot in the head or in the back. The club is purely a wing-shooting organization.

Achille Roos' preserve is considered the sweetest on the marsh, and the pond blinds are so arranged that it will be impossible for a wild duck to hear the report of a Roos gun before it is hit with chilled shot and put out of misery.

The best English snipe patch in the marsh is on "Bill" Richards' bit of mud and to use the words of Richards, "if ducks are scarce on his property and he is in need of them, all he will have to do is to bag a dozen 'scrappers' and in return for the succulent birds, he can easily procure from brother sportsman an equal number of the best ducks that quack." Richards has one of the most comfortable of marsh homes and as his wife is a very clever wing shot, he need never worry for a mess of broad or long-billed bipeds of the marsh when they are to be secured.

FORGES CHECK AND USES MESSENGER BOY TO CASH IT.

Walter B. Lomax Defrauds
Central Bank of Oakland
of \$500.

CONFESSES AFTER ARREST

Was Secretary of Skating Rink
Company Whose Accounts
Are Involved.



by hours with the Sun Pedro collided

By passing himself off as an attorney of Oakland and invoking the services of a messenger boy, Walter B. Lomax, employed as a clerk at the garage of Ray Mendenhall at the Golden Gate avenue, succeeded in cashing a forged check for \$500 at the Central Bank of Oakland. Lomax was arrested at the garage yesterday and taken to the Oakland jail, where he made a confession of his guilt.

The check for \$500 contained the forged signatures of V. W. Conlek, controller of the San Francisco Gas and Electric Company, and Abe P. Leach, former assistant prosecuting attorney of Alameda county.

The check was drawn on the Mercantile Trust Company of San Francisco. After making it out Lomax went to Oakland last Tuesday and gave it to a messenger boy together with this note:

"Central Bank, Oakland. Please give bearer some bull money in check enclosed for me. ABE P. LEACH."
"P. S.—Conlek is controller of the San Francisco Gas and Electric Company."

The bank people paid the check. Leach discovered the forgery about an hour later, but was unable to trace the man who had been responsible for it. He placed the matter in the hands of the Pinkertons, who by the comparison of the signatures on the check with some handwriting of Lomax in Leach's office led the way in the clerk's arrest.

Lomax confessed that he had used the money to pay debts and make up a shortage of \$265 in the San Francisco company which conducted a skating rink in Central Park prior to the fire last April. Lomax was assistant secretary of this company at the time of its organization, when about \$40,000 was spent in purchasing the lease of Central Park from E. D. McNeill. Since the fire Lomax has been the confidential clerk of Maunab, who was president of the skating rink venture. There has been an accounting of the funds of the corporation since it went out of business and about \$2,600 of a deposit of \$5,000 in a San Francisco bank is being sought for by the stockholders. Lomax is 28 years old and has a wife and two children living in Berkeley. He has been separated from his family about four months.

TESTIMONY OF EXPERT FREES ALLEGED FORGER

John Arata Acquitted and
Police Search for Another Man

The charge of forging against John Arata was dismissed by Police Judge Shortall yesterday after Theodore Kytko, handwriting expert, had given his testimony. The judge severely scored J. F. Mohr, the hotel keeper at Fourth and Berry streets, who swore positively that Arata was the man who passed the check for \$15 on him on June 20. The court also complimented Kytko for the trouble he had taken in the interests of justice without hope of reward.

Kytko's testimony clearly showed that Arata did not write the check or present it for payment to Mohr, who was misled by the resemblance to Arata of the man who did present the check. The expert's testimony impelled Harry Behrens, agent of the Magnolia republican club, and the police are searching for him.

Arata's father, who is a wealthy rancher near Antioch, and Eugene Whelan, deputy sheriff of Contra Costa county, were in court ready to testify in the good character of the accused.

ANOTHER FORGED WINDELER'S NAME

Handwriting Expert Says That
John Arata Is Clearly
Innocent.

John Arata, charged with forgery by J. F. Mohr, a saloon-keeper of Fourth and Berry streets, was yesterday proved by Theodore Kytko, a handwriting expert, to be a victim of mistaken identity and was exonerated of the charge by Judge Shortall. Arata was charged with having cashed a forged check for \$15 on Mohr on June 20th. The signature purported to be that of George Windeler, and the check bore the indorsement of Harry Behrens. The testimony was so conflicting that Judge Shortall requisitioned the services of Kytko.

Yesterday Kytko testified that he was absolutely certain of the innocence of Arata, and said it was one of the most remarkable cases of mistaken identity he had ever known.

"There is some slight resemblance to Arata's handwriting," he said. "I wanted to see the writing of George Windeler, and, accompanied Detective Bell to Windeler's lumber yard. I found there a check for \$5, issued on June 1st to Harry Behrens, an agent of the Magnolia Republican Club. This check bore the indorsement of Harry Behrens, as did the forged check. I found that the forged check had been laid over the \$5 check and the signature traced from it. This check was cashed by the Wells Fargo Nevada Bank on June 1st, but John Arata did not arrive in this city until June 15th. The bookkeeper described a man similar in appearance to Arata who had given this genuine check. I can say that we know the forger and his arrest is looked for at any moment."

In dismissing the case Judge Shortall said:

"There is a valuable lesson taught by this case. It shows how easy it is to send the innocent man to jail. The evidence here was overwhelmingly against Arata. I am now absolutely convinced of your innocence, Arata, and you are absolved from all connection with this case."

There were tears in Arata's eyes when he thanked the judge for his kindly words.

ARATA IS HONEST, SAYS ITALIAN-AMERICAN BANK

Its Officials in Court Perseverate Their
Clerk Did Not Forge Check.

Judge Shortall yesterday summoned Theodore Kytko, a handwriting expert, to give expert testimony at the trial of John Arata, a clerk of the Italian-American bank, charged with forgery.

Arata is accused by J. F. Mohr, a saloonman at 739 Fourth street, of having passed a \$15 forged check. Mohr claims to have four witnesses who will swear that Arata is guilty.

The bank officials say that Arata was in the bank three minutes before the alleged bogus check was passed and could not have been in Mohr's saloon at the time alleged in complaint.

Kytko is expected to say whether the handwriting on the check is Arata's.

REAL ESTATE MAN IN FIGHT FOR HIS LIBERTY.

Frank H. Horswill Appears Before
Judge Samuels for Preliminary
Examination.

OAKLAND, July 2.—Frank H. Horswill, a member of the real estate firm of Kreles & Horswill, was before Police Judge Samuels today for his preliminary examination on a charge of forgery, growing out of a plan whereby Robert Bousfield, alias Robert Bousall, forged the names of property owners conveying land to himself, which he attempted to sell at prices so far below the true value that suspicion was aroused and Bousfield arrested. He was convicted and sentenced to a term in the penitentiary. Bousfield was brought back from prison to testify against Horswill. He claims the latter originated and directed the scheme, affixing the fictitious notary seal and signature. Assistant District Attorney Hynes conducted the prosecution, while Judge J. J. Allen appeared for the defense. The examination was continued at the close of the day, to July 21st.

KYTKA'S WORK MAY SAVE ARATA

Expert Says Forgery Is Not in
Handwriting of the
Defendant.

The result of the examinations by Theodore Kytko, the handwriting expert, in the case of John Arata, charged with forgery, may clear the defendant of the charge. Kytko notified Judge Shortall, at whose solicitation his services were employed, that the writing on the check, alleged to have been forged, is not the handwriting of Arata, although it resembles it to a remarkable degree.

The theory is that Arata has a double. A man who not only so closely resembled him that three witnesses were deceived, but who also writes in a hand almost precisely similar to his.

The check was for \$15, and was passed on J. F. Mohr, proprietor of the Crystal Hotel, at Fourth and Berry streets. It was drawn on the Central Trust Company, in favor of George Henry Behrens, to the order of George Windeler. The indorsement, Henry Behrens, is the alleged forgery.

Witnesses for Arata testified that he was in the office of J. Zappellini, at 101 Montgomery avenue, near Jackson street, at the time at which three witnesses testified they saw him pass the check at Fourth and Berry streets.

Kytko says that he never saw two handwritings so closely similar, but he is convinced that the penmanship is not Arata's. He said the forged signature was traced over a signature on a check for \$5 at one time indorsed by Behrens.

O CHRONICLE, TUESDAY

HANDWRITING EXPERT DECLARES WRONG MAN IS HELD A PRISONER

Theodore Kytka Maintains
the Innocence of
John Arata

MISTAKEN IDENTITY

Remarkable Similarity of
Person and Signature
Brought to Light

A remarkable case of mistaken identity was brought to the attention of Police Judge Shortall yesterday in a report filed by Theodore Kytka, the handwriting expert, in the matter of John Arata, charged with forgery. Arata has professed his innocence, which will be established by the sworn testimony of Kytka next Tuesday and the guilt fastened upon the real culprit, who, it is said, closely resembles Arata.

Arata was accused of forging the name of George Windeler, proprietor of a planing mill, in a check for \$15, which, it was alleged, he passed January 20 on J. F. Mohr, hotel keeper, Fourth and Berry streets.

At the preliminary hearing last Tuesday three officials of the Italian-American bank testified that Arata was in the bank transacting business three minutes after the time Mohr alleged he passed the check, and it was looked upon as an impossibility for Arata to have gotten from Fourth and Berry streets to Montgomery and Washington in three minutes. As Mohr positively swore that Arata was the man who passed the check, the judge asked Kytka to examine the handwriting on the check and report to him before next Tuesday.

Kytka in his report says that at first he thought the writing resembled that of Arata, but after examining Arata's in the books kept by him for J. Zapetoni, shipping agent, 101 Montgomery street, who is Arata's brother in law, he was satisfied that his first impression was wrong. Pursuing his investigation, Kytka called at Windeler's office and asked to see the stubs of several checks that he had paid recently. He went to the bank and carefully scrutinized a check for \$5 paid on June 1 to E. W. Behrens, secretary of a republican club, and asked the privilege of taking it with him for further investigation, which was granted. He came to the conclusion, and will testify under oath on Tuesday, that the handwriting on the \$5 check passed on Mohr is that of Behrens. Kytka also learned that Arata and Behrens closely resembled each other in appearance. There are other points clearly establishing Arata's innocence. Arata's father is a wealthy rancher at Antioch, and he has been here for a few weeks looking after his brother in law's business during the latter's absence on a vacation.

Judge Shortall says that, in view of Kytka's statement, he will dismiss the charge against Arata on Tuesday after Kytka testifies.

NEW TURN IN FIGHT OVER SIMINOFF ESTATE

Guardian of Son Charges
Administrator With
Deep Laid Plot

For the second time within six months the estate of the late Morris Siminoff, clock and suit merchant, is involved in litigation. Shortly after the death of Siminoff, who died last February, his alleged will, leaving most of his property to those Siminoffs, his wife, and only a trifling sum to Peter Siminoff, his 11-year-old son by a former wife, was contested on the ground that the provisions in regard to the son were due to undue influence. Yesterday the affairs of the estate were further complicated by John H. Berrie, guardian of Peter Siminoff, Berrie filed a petition in which he asked the removal of J. Soboslay as special administrator of the estate and that Mrs. Siminoff as executrix of the will.

It was alleged in the petition that Soboslay, under cover of a pretended transfer of stock by Siminoff but not put on the books of the firm until after the latter's death, had converted to his own use the greater part of the testator's interest in the Golden Gate clock and suit house. No charges were made against Mrs. Siminoff, she being represented as an innocent tool of a crafty schemer. Soboslay, however, is openly accused of mismanaging the estate intrusted to his care, of planning to convert it to his own use and of embezzling a portion of the fortune standing in the name of his dead friend.

The estate is estimated to be worth \$200,000. Siminoff's clock and suit business was valued at \$100,000, besides which he owned realty in various parts of the city. Besides being a prominent businessman Siminoff was a Mason of high degree. He was who built and presented to the Masonic fraternity the chapel at Decoto, which structure and its furnishings represented an outlay of \$30,000.

In the proceedings begun yesterday the minor heir is represented by Hiram W. Johnson and James M. Stanley. Soboslay denies the charges and declares that he has merely carried out the expressed wishes of the testator. Both he and the widow will fight the petition for their removal. Soboslay is related by marriage to the Siminoffs. His wife was a sister of the first wife of the testator.

CLEVER SCHEME AIRED IN COURT

Tinware Peddler of Stockton
Charged With Having
Three Names.

William P. Coll, a tinware peddler of Stockton, was on trial in the United States District Court yesterday, charged with using the United States mails to promote a fraud. Among the alleged victims are Nathan, Hohmann & Co., Harry Unna & Co., Holbrook, Merrill & Stetson, Dunham, Carrigan & Hayden, and other wholesale firms of this city.

According to the opening statement made to the jury by Assistant United States Attorney Ben McKinley, Coll concocted and carried through a scheme that indicated an ingenious mind. It is alleged that under the name of Peter Cole, he bought goods from the firms named, paying cash on the first lot purchased. Then he paid part cash, and finally having established credit, bought goods on time. Then, according to the indictment, Peter Cole died to the extent of having an obituary notice printed. The notice was not published. It is alleged that Coll went to a printer at Tracy and had a notice set up in type, giving an account of the pretended death of Peter Cole. This was printed in such a manner as to give it the appearance of a newspaper clipping.

At this stage of the game Charles Sanderson came into being. Coll, the prosecution asserts, wrote to the San Francisco creditors under the name of Sanderson, an ostensible hearing that name, and inclosing the obituary notices. He represented himself, it is alleged, to be an attorney of San Andreas, Calaveras county. He stated that he had charge of Cole's estate and that if the creditors would send him statements he would see about getting their money through the Probate Court.

Witnesses were put on yesterday who testified to Coll receiving goods sent to Peter Cole, Stockton, also that he got mail from a letter box with the name Peter Cole on it, going after dark for that purpose. Known signatures of Coll were introduced for comparison with the letters signed by Cole and Sanderson.

[Handwritten signature and date 1907]

TUESDAY, APRIL 9

DEATH NOTICE LEADS TO TRIAL

W. P. Coult, Reported Dead,
Charged With Obtaining
Goods Falsely.

William P. Coult, who, it is alleged, swindled a number of leading wholesale merchants, is on trial in the United States District Court, before Judge de Haven, on the charge of using the United States mails to further a scheme to defraud.

Two years ago this month the firms of Holbrook, Merrill & Stetson, The Harry Unna company, Nathan, Hohmann & Co., Dunham, Carrigan Hayden company, and W. W. Montague & Co. received small orders from a man signing the name of Peter Cole. Half of the purchase price was included in the orders and the goods were sent in every instance. The balances were paid and the next order to each firm was a larger one.

The unsuspecting merchants sent the goods and no money followed. Some time afterwards letters were received from San Andreas signed Charles Sanderson, which told of an accident to Peter Cole at Tracy in which the man was killed. A paper clipping purporting to be from the Tracy paper, giving a graphic account of the accident, was inclosed. Sanderson wrote that he was appointed to wind up the Cole estate and asked the merchants to send him their bills.

Becoming suspicious, the matter was put in the hands of the Board of Trade. Neither Peter Cole or Charles Sanderson could be found, but it is claimed that Coult called at the depot and received the goods sent to Cole. Coult was a tin peddler and piled his trade in a wagon in San Joaquin county.

FORGERY CASE PUZZLES JUDGE

The case of John Arata, charged with forgery, is puzzling Police Judge Shortall. He is accused of forging a check for \$15, which he passed on a hotel keeper at Fourth and Berry streets. Three witnesses from the Italian-American bank testified yesterday as to the time when Arata was in the bank on the day the check was cashed by the hotel keeper, and there was a difference of three minutes between that time and the time the check was cashed. The judge has instructed Theodore Kytka, the expert, to examine the forged signature and give his testimony on July 8.

CHRONICLE, TUESDAY,

DAVIS WILL CASE NOT REOPENED

Supreme Court Refuses to Set
Aside the Holographic
Testament.

MAY GO TO WASHINGTON.

Tribunal Upholds Judgment of
Probate Court Favoring
Testators.

Miss Laura E. Tracy, a niece of the late Jacob Davis, who died in 1896, leaving an estate valued at \$2,000,000, received a setback from the Supreme Court yesterday in her effort to set aside the alleged will of Davis, an holographic document, under which the Superior Court awarded the entire estate to Elizabeth M. Muir, now Mrs. Morgan, and Isabella Curtis, two nieces of Davis' wife. The higher court has denied the appeal from the judgment in favor of the two proponents. The attorneys for Miss Tracy, H. W. Philbrook and W. J. Bartlett, having again failed to break the will, will probably take the famous case to the United States Supreme Court on a writ of error.

PRESENT HOLOGRAPHIC WILL.

The estate of Davis, which included valuable real estate in this city, was probated in Judge Coffey's court November 30, 1896. The property would have eventually gone to Laura Tracy and numerous other heirs had not the holographic will been presented by Elizabeth Muir and Isabella Curtis on August 18, 1900. The document was holographic, consisting of but three lines, and was without the signature of a witness. On the appearance of the alleged will a jury awarded the estate to the proponents.

In contesting the will in the Superior Court Laura Tracy, representing one-half the heirs of the estate, claimed that there had been collusion among the jurymen dividing against her; that the will was fraudulent, that due notice of probate was not given, and that the proponents failed to appear within a year after the probating of the estate. Elizabeth Muir was declared to have been in Honolulu when Davis died and for some time afterward.

APPEAL IS DENIED.

In appealing to the Supreme Court Laura Tracy and the heirs she represents asked that the will be set aside and that the proponents be granted a trusteeship over the property distributed to them, pending the settlement of the estate. Owing to the failure of the higher court to set aside the judgment the heirs will probably attempt to reopen the case by recourse to the United States Supreme Court.

The other half of the Davis heirs were recently denied a motion before the Supreme Court to have the judgment of the Probate Court set aside. They are represented by Attorneys Knight and Heggerty.

The proponents of the holographic will claimed that it was found in an urn containing the ashes of Davis' wife.

The beneficiaries, on April 10th last, obtained a loan of \$25,000 on the property of the estate from the Regents of the University of California.

CHARGE OFFICER WITH FORGERY

Captain Sims, Filipino Fighter,
Awaits in Jail for His
Trial.

OAKLAND, June 9.—Ex-Captain F. A. Sims, formerly one of the best known officers of the Philippine constabulary, is in the County Jail here awaiting trial before the Grand Jury. He was arrested during the earlier part of the year and indicted on a charge of forging treasury certificates. Sims brought an eventful military career to a close by his forced resignation following his alleged killing of natives without cause during an encounter.

After his return from the Orient he enlisted in the regular Army as a private soldier. Sims is the son of a prominent business man and office holder of Salt Lake City, and is the son of a wealthy Californian family. His identity has been kept a close secret because of his reluctance to let his friends know of his trouble.

BANK MUST PAY RAISED CHECKS

Judge Hunt Decides Tampering
With Paper Is Like
Forgery.

Judge Hunt yesterday expressed the opinion that a bank check raised from the original amount for which it was drawn, provided the drawer exercised ordinary precaution, is in a category similar to that of a forged check, and the bank that pays it must suffer the loss of the difference between the amount for which it was actually drawn and the amount to which it was raised.

This opinion was delivered in deciding the suit of the Otis Elevator Company against the First National Bank in the former's favor. The Otis Company sued the bank for the difference between the amounts of checks drawn by its manager and the amounts to which these checks were raised fraudulently by a defaulting employee and cashed at the bank. One check was raised from \$350 to \$500 and another from \$400 to \$1400. The bank charged these latter sums against the elevator company's account, hence the suit.

Judge Hunt held that, provided the usual and proper safeguards in vogue in well-ordered business houses are observed, the bank, and not the drawer of the check, is responsible for fraud resulting from raising the checks, thus placing raised checks upon much the same plane as forged ones.

GETS INSPIRATION FROM DEEDS OF NOTED FORGER

J. E. Mink, Alias Rev. E. M.
Joseph, Given Four
Years in Prison

J. E. Mink, who raised a certificate of stock and posed as a minister of the gospel in order to deceive a broker, told Judge Lawlor yesterday that his troubles were due to an evil inspiration that came to him while reading of the exploits of a noted forger. He pleaded hard to be released on probation, saying he committed the crime to get money for his mother, but the court held that he deserved some punishment and sentenced him to San Quentin for four years.

The proceedings in court began with a motion for a new trial. This was denied and the court was then asked to release the defendant on probation.

Mink took the stand to make his own plea. "I am only 20 years old," he said. "Up to four years ago I went to school back in Pennsylvania. Then I got a job in a broker's office in Philadelphia. While I was working there I was arrested for grand larceny, but was acquitted of the charge. After that I decided to go west and begin life anew. Reaching San Francisco, I tried to get something to do, but failed. I had been reading of the deeds of a noted forger named Gaskill and when my mother, who lives in Norristown, Penn., wrote to me that she needed money, I decided to follow Gaskill's example. I had a certificate for 50 shares of stock. I raised it to 1,000 shares, took it to a broker and got \$500."

Mink promised to lead a strictly honest life if he were given another chance, but Judge Lawlor replied that

LEVEL OF SURFACE IS

Professor Davidson
Examinations In
About the Bay

Professor George Davidson, of the Seismological Society of California, said at a meeting of the society held yesterday at the United States weather bureau office that there been no difference in the level of earth's surface about San Francisco Bay since 1877, when he first began investigations of earthquakes. That date he has had a solid concrete pier sunk off the Sausalito shore, according to the most minute measurements which he recently finished. No change has taken place, says Professor Davidson, except on alluvial or filled land. The level of solid rock is not changed to any perceptible degree.

A report was received at the meeting of a new seismograph invented by Professor Odenduch, one of the Jesuit fathers of St. Ignace college, Cleveland, O., which has the advantage of recording vibrations at a depth in the earth and transmitting the record to the surface.

His crime was too serious to justify release on probation. Leniency was granted in giving the offender four years for a crime for which the maximum penalty is 14 years.

The broker who handled the forged certificate was D. G. Doubleday. To him Mink gave his name as Rev. E. M. Joseph. Doubleday was deceived by Mink's representations and when the good to the customer to whom he sold the stock.

Examiner
May 11 - 1907

Call
May 12 - 1907

Call
Apr 12 - 1907

BANKS MUST PAY FOR RAISED CHECKS

Judgment for Otis Elevator Company Against First National.

In the suit of the Otis Elevator Company against the First National Bank of this city, in which the plaintiff sought to recover \$5,495.50, the difference between the amounts of two checks presented by the bookkeeper of the plaintiff and paid by the bank, and the amounts for which the checks were originally drawn, Judge Hunt has decided that the Otis Elevator Company did not show negligence in the drawing of the checks, and that the bank must stand the loss.

Two checks, one for \$150 and the other for \$100, were raised to \$1,000 and \$1,000, respectively, by bookkeeper Bliss of the Otis Elevator Company. The bank paid the checks and when the alterations were discovered denied liability, claiming that the loss must be borne by the Otis Elevator Company on the ground that the alterations were made by one of its own employees and that it was guilty of such negligence as would defeat its recovery. Counsel for both sides conceded that where a check, payable in all respects, is fraudulently altered by a third person the loss must fall upon the bank paying the check.

The First National Bank claimed that the checks were not completed checks, as the amounts had not been punched in them when they were delivered to Bliss.

Judge Hunt holds that the checks were complete in all respects, and that in negligence was shown by the plaintiff company in their drawing. He declares judgment should be entered in favor of the Otis Elevator Company, with interest from the date of the commencement of the action.

REAL ESTATE DEALER ARRESTED FOR FORGERY

Warrant Issued for Frank H. Horswill After Dis-closures in Trial

OAKLAND, May 11.—As a result of disclosures made at the trial of Robert Bonfield, a warrant was sworn out by the district attorney today for the arrest of Frank H. Horswill, a prominent realty dealer, on a charge of forging the name of Adelaide Murphy Case in a deed of land at the northwest corner of Twenty-sixth and Linden streets.

In a sorry effort to clear himself of the charge growing out of his recording the forged deed Bonfield testified that Horswill told him that Adelaide Murphy Case was a fictitious person to whom he had executed a deed of the land to keep his creditors from taking it. Horswill admitted by this statement that he knew the instrument to be forged.

Horswill is already awaiting trial on the charge of independent embezzlement in the police court. He is charged by a property owner, for whom he was agent, with holding out about \$16 income for the purpose of paying taxes. The complaining witness alleges that the taxes were never paid.

Argument in the Bonfield case was opened today by Deputy District Attorney Burpee.

Horswill was arrested at his home at 525 Hohart street tonight. After being booked at the county jail he was released on \$5,000 bonds, furnished by his father, F. J. Horswill, and Judge John Yule. He will probably be arraigned for preliminary examination on Monday morning.

RAISED CHECKS LEAD TO INTERESTING SUIT

Elevator Company Demands That Bank Be Held Responsible

With nearly the entire array of regular and special attorneys in the service of the Otis Elevator Company and the First National Bank lined up for the battle, Judge Hunt yesterday began the hearing of the suit of the elevator company against the financial institution to compel the latter to stand the loss on two raised checks cashed by H. D. Bliss for \$500 and \$1,000, respectively. Bliss, before the discovery of his crime, is said to have been a confidential employee of the Otis company and had the handling of the checks.

Theodore Kytko, handwriting and camera expert, will give evidence for the plaintiff and the suit hinges upon the relevancy of Bliss' crime. One check, payable to bearer, is said to have been drawn originally for \$350, the writing on the original having been erased by acid and the \$500 demand inserted. The other check is said to have been for \$400 and payable to W. Noble Dickinson, but the insertion of the figure 1 before the two and the addition of the "four" to the "four" in the written part made the check worth \$1,000 more.

The signatures of O. Burger of the elevator company to both checks were admitted as authentic, but Burpee gave evidence of his habit of signing checks in the book to the number of even fifty at a time, and that the amounts to be drawn were not purchased on the respective checks until after they had been torn from the book.

Joseph G. Hooper, cashier of the bank, who paid the checks to Bliss, testified that there was nothing on the face of the papers to arouse his suspicions that they had been tampered with.

The case will go on today and Kytko's expert evidence will be heard.

Examiner
May 14 - 1907

Call
May 11 - 1907

JURY FINDS MINK GUILTY

Forger Who Impersonated a Clergyman Will Suffer for His Crime.

After about half an hour of deliberation a jury in Superior Judge Lawlor's court yesterday afternoon found Joseph E. Mink, alias E. M. Mink, guilty of forgery, largely on the testimony of Theodore Kytko, the handwriting expert, who furnished some graphic exhibits in the case. The jury recommended Mink to pass sentence for the crime on May 1st.

Mink, representing himself to be a clergyman, Rev. E. M. Joseph, conducted some transactions in raising stocks with the firm of H. G. Doubleday & Co., brokers, of 129 Montgomery street, and raised certain certificates of stock from their original amounts to much higher ones, then forged face raised certificates for their original values. He was arrested on information received from Nevada to the effect that the raised certificates were rank forgeries.

SPURIOUS PASTOR TRIED FOR FORGERY

Counsel for J. E. Mink Objects to Way in Which Indictment Is Drawn.

The trial of J. E. Mink, alias the Rev. E. M. Joseph, who is alleged to have raised a stock certificate, was begun before Judge Lawlor yesterday, with Assistant District Attorney John O'Gara and G. E. Weaver representing the prosecution and John J. Greeley the defense.

Mink, it is alleged, wrote a letter to D. G. Doubleday & Co., enclosing 1,000 shares of Mizpah Extension and signing himself "Rev. E. M. Joseph." The letter, purporting to come from the Rev. Mr. Joseph told the brokers to sell the 1,000 shares and buy 100 Atlanta, 200 Adams and 200 Kendall and to send the cash difference, if there was any, to the writer of the letter at postoffice box 298. The brokers say the order was complied with, a check for \$96.20 being sent.

Then, it is asserted, the "Rev. E. M. Joseph" wrote to Kenneth Donnellan & Co. in a similar manner, asking them to sell 5,000 shares of Kendall, which he enclosed. Being unable to sell such a large block of the stock to one purchaser, the brokers sent the certificate to Goldfield to have it cut into smaller amounts, where it was discovered that the 5,000-share certificate had been raised from the 200-share security.

The cashier of the bank where the check for \$96.20 was deposited identified Mink as the one who had made the deposit. The clerk at the postoffice, where a registered letter addressed to the "Rev. E. M. Joseph" was received, identified Mink as the recipient of the letter. Theodore Kytko, the handwriting expert, showed that the raised stock certificate with acid and the security stamped with a rubber stamp. Kytko testified that the one who signed for the registered letter and the one who wrote a letter found in Mink's room is the same person.

Mink's counsel objected to the manner in which the indictment is drawn and rested his case till Monday, when both sides will argue it.

REAL ESTATE TRANSFERS.

The following real estate transfers were recorded yesterday:

Thos. M. Ferguson and wife to Thos. J. Moran, lot on W line of Thirty-fourth street, 101 feet N of V, N 25° W 120, \$10.

Peter T. Goodwin and wife to First W. Bank, lot on N line of Frederick street, 65 1045.

W. of Hayley, W 25° E 110.

Robert O. Hoffman and wife to Emanuel Church, of the Evangelical Association of North America, lot on SW corner of Forty-first street and Alameda avenue, W 61° N 115, \$10.

Streeter Blase to Amelle Blase, lot on S line of Hayes street, 101 3 E of Broderick, E 25° N 132 2, \$10.

Helen R. Goodell to Edwin Goodell, lot on S line of Marshall street, lot 10 E of Pougham, E 30° S 110, \$10.

Ellen Bizer to Peter Asenbrotter and wife, lot 1 to 3, block 2, Snyder street and addition, \$10.

Mary A. Gilmore to Seth Morrison, lot on E line of Howard's street, 50 feet W of Center, W 25° N 100, \$10.

Jerome J. Jackson Jr. to Elsie J. Jackson, half of lot on the W line of Baker street, lot 2 of S of Sacramento, S 25° W 100, \$10.

Sophie Bocken to Arthur A. Bocken, lot on N line of Union street, 51 6 W of Mission, W 61° N 105, E 135° N, 40 104, W 10, N 42, E 25° N 100, \$10.

Phry June to Elsie R. Yates, lot on S line of Commercial street, 111 E of Kearny, W 25° N 100, \$10.

William F. Yates to Alice F. Redman, lot on S line of McAllister street, 200 6 E of Willard, N 97° 10, E 25° N 100, \$10.

George R. Yates and wife to Henry Douglas, lot on W line of Jackson street, 200 feet N of Twenty-second, E 25° W 100, \$10.

Mary Kraus et al to Theodore Kytko, lot on E line of Broadway street, 22 6 N of Union, N 27° E 97 6, \$10.

John F. Loderer to Theodore Kytko, lot on E line of Broadway street, 22 6 N of Union, N 27° E 97 6, \$10.

Edith A. Ragsdale and wife to Alexander H. Ragsdale, lot on N line of Union street, 100 feet S of Union, E 110, N 67° 3, N 40, 11 23, W 31° 6, SW 124, lot 2, E 124° 10, \$10.

Frank H. Moore and wife to Alice G. Moore, lot on NW line of North street, 200 6 E of Center, E 110, N 67° 3, N 40, 11 23, W 31° 6, SW 124, lot 2, E 124° 10, \$10.

Edith A. Ragsdale and wife to Alexander H. Ragsdale, lot on N line of Union street, 100 feet S of Union, E 110, N 67° 3, N 40, 11 23, W 31° 6, SW 124, lot 2, E 124° 10, \$10.

Edith A. Ragsdale and wife to Alexander H. Ragsdale, lot on N line of Union street, 100 feet S of Union, E 110, N 67° 3, N 40, 11 23, W 31° 6, SW 124, lot 2, E 124° 10, \$10.

Examiner
May 15 - 1907

Call
May 11 - 1907

BANK CASHES TWO FORGED CHECKS NOW FIGHTS AGAINST LOSS

SAN FRANCISCO, CAL.

1907

No 2787

\$5500 THE FIRST NATIONAL BANK
OF SAN FRANCISCO

PAY TO *Bliss*

OR ORDER \$5500.00

Five thousand five hundred and no

DOLLARS

OTIS ELEVATOR COMPANY.

Bliss

ASSN. TREASURER

COMPANY SUES TO RECOVER \$6,950

Otis Elevator Concern, Duped
by Trusted Cashier, Holds
Bank Responsible.

Judge Hunt has been called upon to decide whether a bank that pays a forged check in a confidential cashier must stand the loss, or whether the employees of the cashier are to be held responsible for the act of their agent. The suit in question is one brought by the Otis Elevator Company against the First National Bank. The bank cashed two checks, one for \$1,400 and the other for \$5,500, on their presentation by H. T. Bliss, cashier of the elevator company. The first check had been raised from \$400 and the other had been raised from \$350. The bank claims that the company cannot recover from it as there was no means of telling that the checks were forged, while the company asserts the bank did not show the slightest care in cashing the checks, and should be held responsible for the loss.

Bliss' method of raising the checks was simple. In the one for \$1,400 he placed a "1" before the figures "400," and added a "four" to the written "four." In the larger check he erased the figures and filling with acid and wrote a check for \$5,500. He had no great difficulty in cashing the altered checks as neither side questioned the authenticity of the signatures. The assistant treasurer of the company was in the habit of signing checks and turning them over to Bliss, who there-after perforated the amounts. It was therefore easy for him to raise the checks and then perforate the required amounts. It is said that Bliss is dead, although this is not known positively. Joseph George Hooper, who was paying teller of the bank when Bliss cashed the checks, testified yesterday that the cashier issued large currency but that he had to give him little of running denunciations, and that when another employee of the Otis Elevator Company happened to come into the bank he coolly called on him to help count the money.

T. P. Van Ness and Lloyd & Wood are counsel for the bank, while the plaintiff is represented by Judge Slack and Stephens & Hilkey.

Theodore Kyika, the handwriting expert, will be called as a witness for the elevator company. It was through his foresight that copies of the checks were saved as the originals were destroyed in the fire.

Photograph of the check which H. T. Bliss, cashier of the Otis Elevator Company, raised from \$350 to \$5,500. The photo was made by Theodore Kyika, the handwriting expert.

FIXES RAILROAD FARE
AT 2 CENTS

LANSING
live-rent
posse

SUIT TO DETERMINE WHO SHALL BEAR FORGERY LOSS

Bank and Firm Both Deny Responsibility for Sums Secured by Cashier Who Raised Employer's Checks.

A suit to determine responsibility for a forgery was begun before Judge Hunt this morning in the case of the Otis Elevator Company to recover \$6,950 from the First National Bank.

H. D. Bliss, secretary of the Otis Company, raised two checks—one from \$350 to \$5,500, and the other from \$400 to \$1,400—which were honored by the bank. He then escaped to Canada and since died there, according to the Pinkerton detectives in the case. When the Otis Company demanded its deposit on January 20, 1904, immediately following the disclosure, the bank refused to pay upon the ground that there was only \$75.55 due.

Neither side deny the forgery or that the fraudulent checks were honored. Theodore Kyika this morning explained the chemical means used by Bliss to raise the amounts, and the legal aspects of the case were then taken up. The Otis people charge that the bank employees were negligent in paying out sums of this amount without question. In return, the bank asserts that the forgery could not have been done had not the Otis officials been careless. The checks, signed by S. Bergen, vice-president of the company, were reperfected on Bergen's machine.

RAISED CHECKS MAKE TROUBLE

Court Must Determine Whether
Employers of Cashier or
Bank Suffer Loss.

Whether the employers whose checks were raised by their cashier, or the bank which cashed the checks, must suffer the loss of the cashier's misdeeds was the problem placed before Superior Judge Hunt yesterday in the case of the Otis Elevator Company against the First National Bank of this city.

The testimony showed that H. T. Bliss, while cashier of the elevator company, had skillfully raised one check from \$350 to \$5,500, and another from \$400 to \$1,400, presented them at the bank and had them cashed without question. Bliss then vanished, and it was not until some time afterward that the crime was discovered. The elevator company holds that the bank is responsible for the differences between the actual and the raised amounts of the checks, while the bank claims that the checks were not forgeries, but were regularly signed and were drawn up by the cashier of the company.

In the \$350 check, which was dated August 10, 1903, the amount was erased by acid and the words and figures for \$5,500 written. In the \$400 check, a "1" was placed before the "4" and "teen" inserted after the "four." Handwriting Expert Theodore Kyika, President Murphy of the bank, Paying Teller Joseph George Hooper and other witnesses were examined. Lloyd and Wood and T. C. Van Ness are counsel for the bank, and former Judge C. W. Slack for the elevator people.

Bliss disappeared after the episode and is said to be dead.

JOSEPH E. MINK IS HELD FOR HIGHER COURT.

Joseph Elkinton Mink, alias Dr. Joseph, was held to answer yesterday morning by Judge Weiler on a charge of forgery. His bond was set at \$3000 and cash bail at \$1200. Mink is charged with having raised stock certificates, and thus swindled local stockbrokers out of several large sums of money. The prosecution believes that the case against Mink is remarkably clear. It secured valuable testimony from Writing Expert Kyika, who positively identified the defendant's handwriting to be on all the papers submitted in evidence.

The specific offense on which Mink was held is the passing of a Kendall Goldfield Mining Company certificate on Kraines Donnellan, which had been raised from 200 to 5000 shares. The complainant is T. E. Doubleday, a broker at 123 Montgomery street, and the instrument is alleged to have been passed February 16th.

KYIKA EXPERTS WRITING OF REV. JOSEPH E. MINK.

Joseph E. Mink, alias Rev. Dr. Joseph, charged with raising stock certificates and recently implicated in a plot to break jail at the City Prison, appeared yesterday before Judge Weiler for preliminary examination. Handwriting Expert Kyika was chief witness yesterday. He had prepared several enlarged prints showing the signatures of the accused man and signatures found on the documents which Mink denies having tampered with. These signatures were pronounced by Kyika to have been all the work of Mink.

It was Mink's method to buy stock in the guise of a clergyman, and, after raising the shares from 100 to 1000, or from 200 to 5000, he would sell them and realize the difference in cash. He is charged with having swindled local brokers out of considerable money.

STOCKTON MAN CONVICTED OF ILLEGAL USE OF MAIL.

Tinware Peddler Adopts Ingenious
Plan by Which He Defrauds
His Creditors.

William Coult of Stockton was convicted in the United States District Court yesterday morning of using the United States mails for fraudulent purposes. The jury was out only five minutes.

Under the name of Peter Cole, Coult, who is a tinware peddler, wrote to a number of San Francisco wholesale firms and got goods on credit. Then, under the name of Charles Sanderson, wrote to the creditors, saying that he was dead, and that he (Sanderson) had to have all claims put in pretense to getting the estate through probate court. His guilt was established largely by comparison of the Coult and Sanderson writing with acknowledged copies of his own writing. Handwriting Expert Kyika appeared for government. Coult took the stand and made a general denial.

Examiner
Feb 23 - 1907

Chronicle
T. 15 9'7

Chronicle
Jan 22 - 1907

Chronicle 145
Jan 16 - 1907

REVOLVER AT HEAD SEES \$1,000 TAKEN

Supposed Customers Rob E. Hubacek While He Stands By Helpless.

E. Hubacek, a jeweler at 2361 Twenty-fourth street, was held up and robbed Thursday night as he was placing his stock in the safe preparatory to closing. The thieves secured diamonds and watches valued at over \$1,000.

The street was crowded at the time of the robbery, but the boldness of the things, coupled with their apparent knowledge of Hubacek's movements, made escape possible after they warned Hubacek to make no outcry.

When Hubacek had all but completed the placing of his stock in the safe, two well-dressed young men entered the store. One asked to see a diamond ring. The jeweler turned in his safe to produce the gem. When he turned about he found both men wearing handkerchief masks. One of them held a pistol of large calibre at his head and whispered to him to keep silent. The robbers kept their backs to the street.

While one robber guarded Hubacek the other walked behind the counter to the open safe and hastily emptied two trays of jewels and watches, which he put into his overcoat pocket. The robbery completed, the thieves warned their victim to be quiet under the penalty of death and disappeared toward Folsum street. Hubacek waited a moment before he rushed to the door, but he could see no sign of the criminals.

He locked up the filled safe and reported the robbery to the Mission Station. Detectives Harrison and Graham arrested two young men late the same night and booked them on the delinquent book at the city prison. Hubacek failed to identify the suspects.

CHINESE IS A CLEVER FORGER

Euchres Oakland Central Bank to the Tune of Eight Thousand.

AN \$8 CHECK IS RAISED.

Crime Executed With Amazing Ease—May Have White Accomplice.

Out of all the brazen acts of forgery which have been perpetrated in recent years that of Woo Ang, a queensless, oily-tongued Chinese, who claims to have been born in the United States, stands foremost. Banking circles are discussing with wonderment the subtle finesse and apparent simplicity with which this Westernized Oriental succeeded in inducing the Central Bank of Oakland out of \$8,000.

Woo is now in the land of his fathers, probably gloating over the ingenuity and ease with which he beat the unsuspecting bankers. The boldness of the Chinese even eclipses his cleverness. After raising a draft for \$8 to the sum of \$8,000, he went to the Chinese Immigration Bureau, was photographed, his measurements taken, given a certificate so that he could return to this country, and then he boarded a steamer for China.

PINKERTONS TAKE UP CASE.

The case is now in the hands of the Pinkertons, whose theory is that the Chinese worked with a confederate in the person of a man named Woods. The job began in the State of Kentucky where Woods bought a draft for \$5 on the Hanover National Bank of New York. The draft was transferred to Woo Ang, from all appearances. Whether Woods or the Chinese did the raising act is not known.

At any rate, on January 11th Woo, dressed in the height of fashion, with a diamond glittering from his shirt front, wandered carelessly into the Central Bank in Oakland. He presented the check to the Chinese cashier there. The latter refused to honor such a large sum without Woo being identified.

Here Woo exhibited his cleverness. Undismayed, he said: "Oh, that will be all right. I know Sing Fat and other merchants of San Francisco who will vouch for me." With a polite "Thank you," Woo nonchalantly returns the check to his pocket and started for the door. Then he turned and went back. "I guess I do not need the money now," he said, smiling blandly. "As I am going to China tomorrow a bill of exchange on the Bank of Hongkong will do just as well."

TAKES EXCHANGE ON HONGKONG.

This drove all suspicion from the bankers' minds and they readily made out an exchange for the amount. Woo departed. He next made his appearance at the Chinese Bureau, was examined in the usual way and given return papers. The next day he took ship for Hongkong.

He arrived in Hongkong and wasted no time. On February 8th he presented the exchange at the bank there and received \$8,000. It was not until a day or so ago when the draft reached the bank which issued it that the daring forgery became known. The matter was kept secret and placed in the hands of the detective agency, which has secured Woo's picture and measurements. It is believed that the man Woods was with the Chinese throughout.

BOTKIN CASE IS CONTINUED

Appeal Will Be Heard Next May, When Burned Records Are Restored.



MRS. CORDILLA BOTKIN.

BY CONSENT of the attorneys for both sides in the Cordella Botkin case, the woman who is at present awaiting the result of her appeal to the Appellate Court must remain in uncertainty until the arranging of the court calendar of the District Court of Appeals for the next term, which opens in May.

Attorneys Kulgh and Heggerty, representing Mrs. Botkin, appeared before the Justices yesterday morning and asked that the case be taken from the present calendar, which expires on Thursday, and put off until such time as the records in the case can be restored.

The records which were filed with the Supreme Court at the time the case was appealed were destroyed in the fire. Another copy of the transcript, however, was located in Sacramento, and this will be used as a basis for preparing new briefs in the case. If the transcript at Sacramento had not been recovered Mrs. Botkin would now be a free woman, but as the matter stands her case has neither been strengthened nor weakened. Mrs. Botkin is at present incarcerated in San Quentin, whither she was removed from the County Jail some months ago at her request.

SOEDER MUST HANG IN MARCH

Defendant's Counsel Questions Constitutionality of the Restoration Act.

SIEMSEN GRANTED DELAY.

The Murderers of the Japanese Bankers Given Till Friday to File Motions.

Leon Soeder was sentenced by Judge Cook yesterday to be hanged at the San Quentin State prison on March 25th for the murder of Joseph Hilder, his brother-in-law, in this city more than a year ago. It was expected that John Siemsen and Louis Palmer would also be sentenced yesterday, but, owing to the fact that the stenographic record in the Siemsen trial had not been transcribed, the court put the pronouncing of sentence on the two-plate murderers over until January 13th. This was done to allow Siemsen's attorneys time to prepare notice of a motion for a new trial and to enable Hilder to prepare proofs of his insanity at the time of the killing of Hilder.

Soeder's case came up on remittitur from the Supreme Court, his trial last year having resulted in a conviction, from which an appeal was taken. The Supreme Court affirmed the decision.

The motion of Assistant District Attorney Hanley for the restoration of the record in the case, it having been burned, was vigorously opposed by J. J. Hillyer and Edward S. Salomon, attorneys for the defense.

They claimed that the restoration of records act passed by the Legislature last June was unconstitutional, inasmuch as it provided for the restoration of "court" records and not of "judicial" records; also that there was nothing in the act to show that it was intended to be retroactive, and consequently could not apply in this case. Another point made by the defense was that the record which it was sought to have restored was a copy of a copy and not of the original.

Judge Cook held that the act applied in this case, and that, even if it did not, a court had the inherent power to make its record conform to the truth. From this ruling the defense gave notice of an appeal.

The constitutionality of the act in question has never been tested by the Supreme Court.

Soeder received his sentence unmoved. He will be taken to San Quentin in ten days.

Fillmore street was crowded with the curious at an early hour and the police had difficulty in clearing a passageway for Soeder, Siemsen and Palmer to and from the wagon that conveyed them to the courtroom.

THE OREGON SUNDAY JOURNAL, PORTLAND, SUNDAY MORNING, DECEMBER 2, 1906.

EXPERT WORK OF WORLD'S GREATEST FORGERS. CHECKS SHOW CRIMINALS METHODS



WORTH NATIONAL

San Francisco, Cal.
PAY TO THE ORDER OF

George Blank

Twenty Two Hundred and no/100

TO THE CROCKER-WORTH NATIONAL BANK.
SAN FRANCISCO, CAL.

Stockton California \$1.50

Mar 5

678 Crocker-Worth National Bank of America

20717

George Blank
Twenty Two Hundred and no/100

LONDON, PARIS, AMERICAN BANK

SAN FRANCISCO, CAL.

1875.920

WORTH NATIONAL

San Francisco, Cal.

Pay to the

Twenty Two Hundred and no/100

BANK OF CALIFORNIA.

SAN FRANCISCO

Worth National Bank

Oregonian Portland
Nov 19-1906

Journal Portland
Nov 20-1906

FEARED LIFE TERM

Government Expert Ridicules
George E. Adams' Plea.

NO SENTIMENT INVOLVED

Seattle Assay Office Chief Merely
Knew That He Had No Chances
to Escape Conviction in
Numberless Counts.

George Edward Adams, the Seattle assay office embosser, pleaded guilty in the charge of stealing gold dust because he knew that if he fought the case he would probably be sentenced to life imprisonment. So says Theodore Kytka, a handwriting expert, of San Francisco, who is now in Portland, and who was employed by the Government in the Adams case. Adams is said to have remarked that he pleaded guilty out of a desire to protect the reputation of the assay office, saying that he did not want the scandal prolonged, although he believed the Government could not secure a conviction. Adams was sentenced to ten years at McNeil's Island.

Adams never had a ghost of a chance of acquittal and he knew it, said Mr. Kytka last night at the Hotel Portland. "There were so many separate and distinct charges against him that it would have been easy to have kept him in prison the rest of his days. He could have been convicted on every one of them. We found out where he purchased the black sand that he substituted for the stolen gold dust, also the names of the people to whom he sold the gold. In doing this he used an assumed name, but his marks on the slips and his handwriting were positively identified. His pleading guilty will make it easier for the Government to recover from his bondsmen. He embezzled something like \$150,000 and the bondsmen will no doubt have to make good a large part of that sum. "Adams is nothing more than a cold-blooded crook, and I consider him even lower in the scale than the thief who breaks into houses. Adams received a good salary, yet for five years he systematically swindled hard-working miners out of thousands of dollars. He is deserving of no sympathy, as he is a degenerate and a moral leper."

Convicted Forger Becker.

Mr. Kytka is the expert whose testimony convicted Becker, known as the "King of Forgers." Becker served seven years in a California prison, but is now running a saloon in Hoboken, N. J. The crime for which he served time in California was that of forging a check of \$12 to \$12,000. The check was cashed, but after a long search the detectives succeeded in trapping Becker, in whom suspicion of crime attached, as they did not believe that there was another man in the United States who could do a job so cleverly. "Becker is the cleverest forger in the world; I have never heard of his equal. He went to France and there made nearly \$250,000. He covered his tracks so well that the authorities could not secure a conviction and he came back to the United States. He has made a living by forgery all over the world. He served four years in prison in Turkey."

"But for the rest of his days he will be a marked man. He will never have another opportunity to play his game. The bankers are afraid of him and detectives shadow him night and day at his home in Hoboken. He is followed wherever he goes and his every act is known to the detectives. He knows that he cannot shake the detectives and that they would follow him to the ends of the earth. Every one who talks of him is shadowed. Becker is as harmless now as though he were in prison."

"The big bank forgers never work alone. Generally three or four enter on the game. First there is the forger himself, next the 'shover,' who passes the checks, and last the go-between, generally the 'forger's' never see each other. The forger has a man whom he can trust and whom only he can trust and whom only he can trust. The forger makes

out the checks which the go-between carries to the 'shover.' Then the man who passes the checks sends back the money printed back to the forger.

Danger in Money Orders.

"Forgery of money orders have become so common of late that the Government has decided to change its blanks. The new blanks will be out about the first of the year. Money order forgers send in one another mail orders for small amounts, 25 or 50 cents. By placing these mail orders in a certain solution the writing field is removed. The paper is not damaged and the stamp remains. Then all that is necessary is to fill out the order again and it will appear genuine."

"Of course if an attempt were made to pass these bogus money orders at the postoffice detection would follow at once, as the letters of advice which follow the mail orders would show the difference in the amounts. But the crooks cash them at stores and restaurants are in the habit of taking them readily. It is an old trick, yet it is worked frequently."

"The new money orders will be so printed that it will be impossible to make them by the method I have outlined."

STORY OF THE CASE.

SAVED VALUABLE LEGAL RECORDS FROM EARTHQUAKE AND FIRE

Theodore Kytka Did Great Service to Persons Involved When He Persisted in Guarding Negatives From Destruction or Injury.

Like the scenes and incidents of Lytton's "Last Days of Pompeii," or Brinkley's "Quo Vadis," runs the story of saving the records of hundreds of criminal and civil cases from the ravages of flames and earthquake at San Francisco, as told by Theodore Kytka, handwriting expert employed by numerous state and municipal governments in cases that range from the smallest civil suit to the terrible Haymarket riots in Chicago years ago. At present he is at the Portland with Mrs. Kytka, making this city a brief visit.

For more than 20 years the decipherer of forged handwriting has been waging war against the greatest criminals in the United States. The Fair will case, the Haymarket case, the Bolika murder case, the "Silk Henry" Cooper forgery case, the George D. Collins bigamy case, the great Carl Becker forgery and hundreds of other cases have come to Kytka.



Theodore Kytka.

For solution and never once has his employers had cause to regret paying him \$25 a day and expenses or the multiplier of \$100 a day and expenses, for the work they have entrusted to his care.

When the first tremors of the great earthquake shook the sleeping thousands in San Francisco, Kytka was awake. For he had an injury in which he kept 2 or 3 inches, including the specimen that had never been classified, and he was always astir at daybreak feeding his pet. While leaning out of the window and listening the birds their morning food, he was interrupted by the tremors. He realized at once what a city shaken to her foundations, with water making her number, could mean. Fourteen years before the city chief of the fire department had told him what would result if San Francisco should be visited by a great earthquake. So, without a moment's hesitation, he commenced saving the records which had a distinct bearing upon the lives of seven persons, the freedom of 30 criminals before whom yawned the walls of the penitentiaries ready to enclose them for life or long terms, while included in the records was evidence which would decide the fate of dozens of lesser criminals and the disposition of millions of dollars worth of property.

There is a law in California, as there is in the federal statutes, which says that when the original records are destroyed the duplicates made of the

originals by a photographic report shall take their place. Kytka had these records—vague words of them—and his first thought was to save them that justice might be done in these cases.

At Twin Peak, not far from Kytka's home, a contractor had removed a large quantity of sand and gravel—had made, in fact, a sheltered rock against the side of the Mt. Kytka decided that he would store his records there. So with the assistance of several boys from his laboratory and his servant girls he commenced the work of transporting the valuable legal negatives to the fire-proofed spot. For more than 10 hours they carried the heavy plates up the 11 blocks of the steep hillside. Without sleep and food they labored that the criminals should be punished for their misdeeds and the legions of the millionaires might come honestly into their own.

Kytka had made in his laboratory negatives which were more than two feet square and there were piled on heavy wooden frames, some of which were nearly 10 feet square, and which could be whirled into coils and slowly plumbly the forged names and wills. He had several of these in his yard and they were taken to the hillside and from them two wooden shacks were built, which not only sheltered the records, but provided a home for the expert and wife and his laboratory as well, which at one time numbered as high as 32 persons.

Worked Day and Night.

Although he had stepped on a piece of broken glass in his dressing-room soon after the first shock, Kytka labored on without stopping to heal the wound, save to remove the jagged piece of glass from his foot. For three days and nights he labored and with his helpers, lived like animals, he says. Then the fire stopped, order was beginning to follow the chaos that permeated the stricken city, and he found that his studio and laboratory had not been destroyed.

But the city and police records had been lost in the earthquake and fire. None of the originals had been saved from the 15,000,000 city hall, for had the lawyers been able to gather from the ruins of their magnificent offices the records or transcripts of the cases, Kytka had them so it was no wonder that Carter P. Pomroy, the attorney for Davis' estate, who had been fighting for the estate which involved \$1,500,000 should come to him with tears in his eyes and say:

"Kytka, you shall be remembered for this."

And Kytka was remembered for his service, and it was immediately honored.

Then came the task of moving back to the shaken laboratory and art studio the records over which he had stood guard with rifle and shot gun against the attacks of the pillagers for more than a week. Four large drays were employed in taking back Kytka and his family and records which Kytka and his boys had laboriously carried up the steep hill on their hands and to their arms.

What became of the beautiful fireproof? Well, when the soldiers told Kytka that the fire was too close to his studio to permit him entrance the handwriting expert, believing that his studio, laboratory and armory were about to burn, begged that he be permitted to save his feathered friends. But rather than shed the privilege he preferred to leave the songsters to perish in the flames. Kytka rushed past the guards and entered the plate glass case, and amidst the flying of birds that had been used to wake him in the early morning with their song.

SCORED FOR TRYING TO INFLUENCE COURT.

PORTLAND, September 22 (The Oregonian)—The strongest public feeling was stirred today by Judge Wells to the public buildings during the trial of the man brought against him by A. A. Caldwell to a suit of \$1000. A few days ago Judge Wells was called to see Judge Wells' justice and high to him of the defendant's efforts. The latter whose name is unknown, was promptly called. This morning when the case was called Judge Wells called the defendant, who I am to protect, but the judge said that he had no more to do with the case. The action was brought in order to bring the judge to a suit of \$1000 to the defendant, but the judge said that he had no more to do with the case. The action was brought in order to bring the judge to a suit of \$1000 to the defendant, but the judge said that he had no more to do with the case.

G. E. ADAMS GUILTY, GIVEN TEN YEARS

The Assay Office Embezzler Changes His Plea and Avoids Trial

TWO FIVE-YEAR TERMS

Admits He Stole Gold as Charged in Two Counts—No Fine Imposed



George Edward Adams
Former Cashier of Assay Office, Sentenced
to Ten Years in Penitentiary

George Edward Adams has commenced paying sentences aggregating ten years for stealing gold from the United States assay office at Seattle, when he was indicted there. He changed his plea of not guilty, made months ago, to one of guilty, shortly after midnight yesterday morning before Judge Hanford, and received the extreme imprisonment penalty of five years on each of the two counts in which he admitted guilt. These were count 2 and count 10 of the indictment.

The first was for the theft of three ounces of gold valued at \$50, from the deposit box of the Washington Trust Company. The second was for the theft of 43 ounces of gold, worth \$700, from the deposit box of the same company. The indictment was returned by the grand jury.

In response to the request of Adams' attorney, Walter S. Fulton, for the postponement of the trial because the defendant had already been in prison one year, Judge Hanford refused to grant it. He said he had no right to do so.

The plea and sentence made the necessity of the criminal trial, which had been set for November 20, and for which a jury list of 100 names had been drawn.

Adams was reportedly in a good spirit at the time he received sentence. He was well dressed, clean shaven and in good health. He said nothing himself during the proceedings, except to declare, when asked by Judge Hanford if the statement of his attorney was his plea, that it was.

He stood while receiving sentence, faced the court directly and did not seem in the least discouraged. After the bid scene in the court room he was taken to the office of the United States marshal and his commitment was signed, and was then returned to the county jail, handcuffed to another federal prisoner, William S. Smith, held for forging postal money orders.

Says He Contemplated Plea

"The course I have followed is intended to get the case over as quickly as possible," Adams said. "I have contemplated this for some time."

Asked to comment upon his sentence, Adams refused. "I would not care to say anything about that for publication," he said.

"When does your term begin?" asked one of the jurors.

"The very minute I was sentenced," declared Adams promptly.

The prisoner expects to secure all the privileges accorded for good conduct.

For a man who had a few hours before

admitted before the federal court that he was guilty of embezzling gold from gold pokes valued in his charge as a government official, Adams seemed very well satisfied with life.

Still Cases Not Affected

The civil cases against Adams for the recovery of gold embezzled are not affected by his plea and sentence. In the opinion of United States District Attorney Sullivan, the action is really strengthened, since by his plea Adams has admitted in court that he actually stole gold from the assay office. Evidence in the United States assay office is being taken before Special Master in Chancery Will H. Thompson. The aggregate amount of the claims is not determined, but they run well up between \$100,000 and \$200,000. The total amount of embezzlement charged against Adams in the indictment was \$5,000.

The government is seeking to recover for expenses then the property owned by Adams the value of the gold taken. His trial estate holdings and other property in Seattle are sufficient if they can be converted for the benefit of those who have lost because of his peculations, to make at least substantial return for the losses.

The story of the discovery of Adams' methods and his arrest a year ago caused one of the most startling sensations in the city of this city when he was proclaimed by and widely known as a liberal spender and one who had many friends. His friends had been given the impression that he had a large income from interest and investments of other kinds, which accounted for his ability to spend money.

The year he has spent in the county jail wallowing in the mire of his trial, and then the approach of his trial, does not count as a part of his sentence. By good behavior at the penitentiary and by good behavior at the penitentiary he may be able to reduce the time in prison by one-third, thus making it six years and four months.

No fine was imposed on Adams, but he was ordered to pay the costs of his defense or to serve additional time if he failed to do so. His second five-year sentence will begin as soon as the first one expires.

Application for Money Order	
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City of Seattle	City of Seattle
Sent by J. H. Harrison	Sent by J. H. Harrison
Address of Recipient	Address of Recipient
Sent to Geo. Dwyer	Sent to W. W. Markham
City of Seattle	City of Seattle
Sent by	

Chronicle

SAN FRANCISCO CHRONICLE, SUNDAY, OCT.

OCTOBER 26, 1906.

ITALIAN FORGERS ARE SENTENCED

Carta and Di Ryana Will Spend
Years in Jail for Defrauding
Solimena.

Antonio Carta was Wednesday sentenced to serve six years in Folsom prison, by Judge William F. Lawlor for having forged the name of Pasquale Solimena to a proof of loss on which was collected \$1500 from the Hamburg-Bremen Fire Insurance Company. Joseph di Ryana, Carta's companion in crime, was sentenced to five years in San Quentin. The reason for the longer term given Carta was that he trusted on his former connection with the Italian consulate, in obtaining the confidence of Solimena. These sentences are the first imposed by a San Francisco court upon Italians for forgery.

A strenuous plea for a new trial was made by the defendants' attorney, but the court decided against the contention that a proof of loss could not be made the foundation of an indictment for forgery. On this point an appeal will be taken to the Supreme Court.

During the trial of Di Ryana and Carta an attempt was made by Rosa Tortucci to influence Juror Borden in favor of the defendants. She was sentenced to serve three days in the County Jail for contempt of court, it being proved that she had called on Borden and told him that, in her opinion, the men were innocent.

Several civil suits have grown out of the trial just concluded. Attorney Cosgrave is suing the Solimena brothers for \$1000, claiming that they owe him that amount for his services in discovering the company with which di Ryana and Carta did business on Solimena's behalf. A counter charge accuses Cosgrave of having taken unfair advantage of two ignorant and

over-trusting men in making the contract on which he is suing Cosgrave replies to this, saying that Solimena brothers are not as innocent as they appear, and he describes them as "dis-simulating foreigners."

The excitement of the Italian colony over this case is not likely to abate, for Judge J. A. Spinnelli promises to hold a suit against the Hamburg-Bremen Company for the \$2000 which was paid to the forgers, but which should have been paid to Spinnelli's clients, the Solimena brothers. The underwriters have already paid but not only the \$1000 with which they compromised the claim with Carta and Di Ryana, but \$800 in bringing them back from New York on extradition proceedings.

FEDERAL JURY ACQUITS WILLIAM C. RAISCH.

On Second Trial Found Not Guilty
of Selling Fraudulent
Certificates.

The jury in the case of William C. Raisch, on trial for the second time in the United States District Court on the charge of selling out and selling fraudulent naturalization certificates, returned a verdict of not guilty at 6:20 o'clock last night and Raisch was discharged.

The jury went out at 1 o'clock, the morning having been spent in argument by Samuel Shortridge, for Raisch, and United States District Attorney Robert T. Deville for the Government.

Both spoke fully, and were heard to by a number of attorneys who had gathered to hear them. The case occupied four days about the time it took before the jury returned evidence against Raisch was that of William Cunningham and Isaac Johnson, who made a business of selling fraudulent naturalization certificates, and who swore that they saw Raisch fill out several introduced in familiar with the defendant's handwriting aware that the writing on the certificate was not his.

Chronicle

Oct 24 - 1906

WELL-KNOWN COUPLE WILL WED TO-DAY



John Tonningsen and Mrs. Somp
to Be Married Here
at Noon.

JOHN TONNINGSEN, capitalist, and exalted member of the Masonic fraternity, and Mrs. Pauline E. Somp will be married at noon today at the residence of the officiating priest of the French church in this city. Dr. and Mrs. P. F. Knapp, intimate friends of the couple, will be the only witnesses in the ceremony. Tonningsen and his bride met at the bedside of a sick friend, shortly after the return of Mrs. Somp from abroad, and an engagement soon followed. Tonningsen, who was chairman of the accommodation committee in honor the delegates to the Masonic Grand Lodge, which held its convention here recently, set the wedding day after the adjournment of that body. After a bridal tour through Southern California the couple will return to this city to arrange their affairs preparatory to an extended tour abroad.



John Tonningsen and Mrs. Pauline E. Somp, who will be married today.

WRITING EXPERT ASKED FOR \$250

Carl Eusenchimmel Admits He
Offered Not to Testify in
Raisch Case.

Upon cross examination by Peter F. Dunne, the attorney for William C. Raisch, charged with selling fraudulent naturalization papers, Carl Eusenchimmel, the writing expert, acknowledged that he offered Samuel N. Shortridge to keep out of the case for \$250, notwithstanding the fact that he then called himself the "Government examiner" on his business cards. He claimed that he was a professional and as such could accept a retainer not to testify for the other side from that which retained him. He stated that he had told Shortridge that to keep him from testifying on the other side he would be retained. He never went back to Shortridge's office after that, as he had been invited by that attorney asking him to testify without examining the papers. Several witnesses testified that they had purchased citizenship papers without going near the court.

Chronicle
Oct 19 - 1906

Sept 23 - 1906

THE SAN FRANCISCO CALL, SUNDAY, SEPT.

Signatures Traced and Signed in Different Colored Inks

March 22, 1907 to Mr. E. H. Costa

Date at Oakland, Cal. May 11 - 1906

Solimena Bros

SAN FRANCISCO

On the 29th day of May in the
One Thousand Nine Hundred and Six
before me, THOMAS S. BURNES, a Notary Public in and
said City and County, residing therein, duly commissioned and
 sworn, personally appeared

NOT-GENUINE
SIGNED IN BLANK

ent of notice as he may deem necessary or proper to acc
urposes above specified

Solimena Bros

Day of May 1906,

scribed and acknowledged
to before me this

29 day of May 1906
Thomas S. Burnes
Notary Public
In and for the City and County of San Francisco

No. 4 -

TRACED FROM NO. 1

That the signatures of Notary Public Thomas S. Burnes and Solimena Bros were written in different kinds of ink on the acknowledgment of the proof of loss alleged to have been sworn to before Burnes and which Pasquale Solimena now claims was forged by Joseph M. Hyman and Attilio Costa was brought out in the course of the surgery trial in Judge Lawrence's court yesterday by Theodore Kytko, the handwriting expert, who has been examining the alleged forged documents.

According to Kytko's testimony the Solimena signature was written in blue ink, while that of the notary, together with his certificate of acknowledgment, were in black. The date of the acknowledgments on the proof of loss and the other instruments signing in the case were claimed by witnesses who testified in the case Friday to have been dates on which Solimena was engaged in a distant part of the city and did not visit Burnes' office and the trend of the testimony yesterday was to show that the documents were not signed before the notary on the date as shown on their faces. Kytko also reiterated his belief that the signatures on the proof of loss and power

of attorney were tracings from the admitted signature of Pasquale Solimena assignment of interest, which he set on the sheet of paper containing the leges was filled in over the signature by M. Hyman and Costa. Photographs of the different signatures and a transparent slide of the admitted signature were shown by Kytko in substantiation of his claim, the striking similarity as to size of letters, slanting of lines and the length of the names being relied upon to substantiate his contention.

Attorney David Postgrave was on the stand for a short time and told of being employed by Pasquale Solimena on May 15 to find out in what company his policy of insurance was located in order that he might make a claim on it. Detective Steven Hume and other witnesses corroborated their former testimony relating to the flight of M. Hyman and Costa to New York and their recapture there.

The afternoon was principally spent in the arguments of Assistant District Attorney John C. Costa and Attorney Robert Perini, who conducted the case for the defense. The arguments were closed at the adjournment of court in the afternoon, and the instructions to the jury will be given by Judge Lawrence Monday morning.



THOMAS S.
BURNES

FORGERY CASE IS CONCLUDED

Judge Particularly Admonishes
Jury Against Improper
Influences.

The sensation promised in the trial of Joseph di Ryana and Attilio Caria, who have been on trial for forgery in Judge Lawlor's court for the past week, was forthcoming yesterday morning when Judge Lawlor dismissed the jury for the day. It was hinted the previous day by the prosecution that some untoward influences had been at work in the case, and that a verdict not in accord with the testimony might be looked for.

In dismissing the jury Judge Lawlor was very earnest in his admonition concerning his conduct outside the courtroom. After the usual caution he said that it was the duty of every juror to report to the Court if he was at any time approached in an improper manner by anyone, and that any juror failing to so report would be as equally culpable with the person who, unlawfully, approached him.

Judge Lawlor said he wished the jurors to understand that this admonition was not of a perfunctory nature and that they could not perform their duties as jurors if they discussed the case among themselves or with others, or permitted it to be discussed in their hearing. While making these remarks his eye were bent on one juror. After court adjourned at noon it was said that Judge Lawlor's words might have the effect of removing the influences that have made themselves felt in the case.

Theodore Kytka, the handwriting expert, was on the stand yesterday morning and testified that the ink in which Burns, the notary, wrote the acknowledgment was entirely different from the ink in which the proof of loss was signed, which Di Ryana swore was signed by Solemina at Burns' desk.

David Cosgrave testified that as Solemina's attorney, he located Solemina's insurance in the Oakland office of the Hamburg-Bremen Insurance Company, on June 14th, notified Solemina on the 16th and filed his complaint in the Police Court on the 19th, charging the defendants with forgery. Richard Ryan, clerk of Judge Shorliff's court, stated that the defendants were called into court on June 23d, and that they failed to appear on the following day. Their cash bail of \$500 each, he said, has never been forfeited.

The afternoon was spent in hearing the arguments of counsel, and the Court stated that it would not instruct the jury sitting in a private house, but would instruct them at the Temple, on Monday morning at 10:10 o'clock. In argument, John O'Garra, Assistant District Attorney, laid stress on the evidence of the handwriting expert.

Robert Ferral, in argument for the defense, spoke satirically of the handwriting expert's testimony and dwelt on the high character of Burns, the notary, who testified that Solemina privately acknowledged his signature to the proof of loss, which he later claimed was a forgery.

The jury which will determine the case includes Charles A. Malm, 171 Folsom street; Andrew J. Piercy, 3548 Twenty-third street; Charles F. Stelling, Sutter and Lynn streets; Jacob T. Schamp, 2332 Folsom street; George T. Wedekind, 3061 1/2 Delavan street; Daniel W. Herl, 146 Fair Oaks street; Consuelo J. Anger, 1765 Market street; Edwin G. Borison, 753 Capp street; Richard Adamson, 325 Lexington street; Frank E. Hayskosen, 2426 Bush street; John H. Harney, 1100 Del Norte street; Abe Fromberg, 1519 O'Farrell street.

KYTKA ON THE STAND.

Willows Daily Journal.



LATE WILLIAM MURDOCK ALLEGED SIGNER OF THE NOTE.

The above picture is taken from the only photograph of the late William Murdock in existence. It was taken years ago and looks very little like the old rancher in later years.

At the opening of court at 10.30 today, expert Carl Eiseenschmel was again called to the stand by defendants and was handed a number of the old checks for further analysis of the formation of the letters in the last name, they being old checks signed by Wm. Murdock in the year 1877—the date upon which the note purports to have been signed.

After stating again the difference in the various checks and the note, he was turned over to the tender mercies of Grove J. Johnson for cross-examination.

He was asked if he had examined the writing on the various checks other than the signatures, and replied that he had not. Johnson handed him some of the old checks and he picked certain ones which he said were written by Murdock

and others not. Asked if he remembered when T. J. Kirkpatrick was on the stand when the affidavit was introduced, if, sitting by the side of Kytko, in this court room, he whispered to Mr. Kytko and said:

"Get hold of that and make a photograph of it and we will knock it out."

Said there was not a word of truth in it. Asked if there was any doubt in his mind that the note was copied from the deed of 1872, and there was none whatever.

Matters began to grow somewhat heated between counsel and witness, the court finding it necessary several times to put a stop to the hot bullying of words.

Witness continuing, said his profession was a science, art and trade. As a science, he said that by three rules it ought to be "exact," as follows: alignment, about and pressure.

Asked if experts on handwriting ever disagreed, and sometimes they did.

Asked if he ever testified in any case where Daniel T. Ames also testified, replied that he had. Said they both were witnesses in the Davis will case and that they disagreed, Ames testifying that the will was genuine, and witness here, said it was a forgery.

Witness was asked if he had peddled his reputation around the streets of San Francisco that the note was a forgery.

Positively denied that he had done so. Said that he had mentioned the matter to his family at the dinner table.

Q. Did you not peddle around the streets of San Francisco the opinion you had given Mr. Cannon that the note is a forgery?

A. No, sir.

Witness was asked by Johnson if 2,000 reputable people should swear that the signature to the note was in the genuine handwriting of Wm. Murdock if he would believe it. Witness said it would not change his opinion one particle.

Witness was turned back to the defense for re-direct examination by General Barnes just when the noon recess arrived and court was adjourned until 2 o'clock.

Afternoon session commenced by calling Theodore Kytko back to the stand on behalf of the defense and asking him to place the "Wm." of the deed of March 12th, 1890, and the "Wm." in the note, one above the other, under the barrel of the microscope, from which had been removed the lens of the instrument, and the jury called to examine the instrument. While the jury was beginning to make the examination, accompanied by the court, lawyers and expert Kytko, Grove Johnson thought he heard the expert invite someone to "take hold here" or something in that effect, which called out a loud protest on the part of the ever watchful leader of the plaintiff's side.

In tones that indicated that his Honor is becoming weary with the jangling, he remarked that the "episode is now over gentlemen," when calm reigned again.

If the law permitted the jury to draw pay for touching to look at exhibits under the microscope, under direction of court and counsel, then nothing would rat up the note, being called so frequently to take a "peep" at this and that.

Witness went to the board and made a pretty "Wm" with a blue chalk and then

at certain places touched it up with red chalk, to show wherein there is a difference in the deed signature and the signature to the note.

Witness then stated as a fact that in all of Murdock's signatures examined by him, in no case was there any attempt at patching to correct any failures, whereas in the note patching is everywhere apparent.

Witness then went back to the "W" with a tail turned up like a stinging scorpion, which he said never occurred until December 19, 1879, in the genuine writing, but that it always terminated with a backward flourish under the name. The defense of course was laying stress on the fact that the note made in 1877 is the one single departure from the universal rule, before December 19, 1879. The defense have arranged all of the old checks into yams, curiously keeping each year by itself in the bunches. In this manner they are passed around among the jurymen to have the statement of the witness verified as to the fact that the note furnishes the first example of which the "k" terminates with an upward hook. Answering as to when he first began the study of the Murdock signatures, said that on February 21, 1899, when Mr. Lusk and Mr. Bayne gave him 75 checks for examination. He made enlargements of them and made an exhaustive study of them. At that time he had not seen the disputed document. He then came

(Continued on page 135.)

to Willows and saw the note for the first time, on April 6, 1899. Said he began making a study of its general characteristics under the microscope when "all of a sudden I was struck with the sameness in the two 'Wm's.'" It convinced me so that I stopped right there."

He said the marked effect of the tremor in the writing of the note that is not found in anything else, but that in all of Murdock's writing there is an "emphasis" on the down strokes, causing them to be heavier as they proceed downward.

It is rumored that the object of the plaintiff's attorneys in having witness Eiseenschmel identify the handwriting in the body of checks this morning, is to show that Murdock didn't write his own checks, but merely signed his name after they had been drawn up.

The formidable looking microscopes sitting around on tables and leveled upon various objects are like the pictures in our minds of the big cannon at Fort Point, Presidio, Cal.

Witness was asked what he considered the most conspicuous piece of patching in the signature to the note and replied that it is found in the letter "o." He went to the board again to make the letter to show how it was done by the copyist, as he styles the writer of the note, if it is a forgery, which he insists that it is, to the extent that the lawyers have to hold him down to keep him from arguing the matter to the jury as he explains the manner of the writing of it.

Expert Eiseenschmel testified today that, like Ames, he had no contact with the defendants as to what he was to receive as compensation for his testimony, but expected to receive \$100 per day.

The enmity of the public with reference to expert testimony has been so far gratified that the crowd has fallen away, and are resting up for the time when the experts shall have concluded and witnesses whom they know are called to the stand.

The public have the understanding that each side has something up its sleeve that will win the other side. For illustration Attorney Bayne in his opening statement for the defense, promised that they would prove that it was a "physical impossibility for Wm. Murdock to have signed the disputed note," the generality of people take that to mean all that it could, to wit:

That he was somewhere else on that date than at Mrs. Murdock's home, or that he was physically unable to have signed it at all, etc. On the other hand friends of the note side intimate that the unusually hard work of the defendants by their experts and otherwise will be smashed in a jiffy when the rebuttal comes to be heard.

The whole of the afternoon has been consumed by Kytko in demonstrating on the board and setting the microscope on documents, how the note was written, and pointing out to the jury where bling-in has been done. Witness was asked by General Barnes if he could produce a work, with the same kind of patching and piecing, as the note is, and answered in the affirmative. When asked by Gen. Barnes to do so, replied that he was not prepared just at this moment as he would have to go and get his pen, glass plate, etc.

He was asked to bring them in the morning. Plaintiffs gave notice of an objection to such a proceeding. The witness volunteered the statement that he had done the same thing in the Becker and Creagan forgery case, when court adjourned.

NEW LIGHTS ON WEIRD PICTURES.

The Shrinking Fish That Swallowed a Pocket-Knife.

Notable Results in Roentgen
Photography at the State
University.

Professor Cory and Instructor Drew
Successful With the Cathode
Ray

Feb. 23 1896
COMPLIMENTS FOR "THE EXAMINER."

Extraordinary Development in Local Inter-
est in the Mystic Discovery Since the
Experiments for This Paper Began.

While waiting for more satisfactory ap-
paratus than can be obtained here to make
the beneficial and more important experi-
ments in photographing through opaque
objects, according to the means discovered
by Professor Roentgen of Wurzburg, Dr.
Philip Mills Jones, who is conducting the
investigations for "The Examiner," is con-
tinuing his tests with small objects, and
each experiment gives some new and inter-
esting information concerning the applica-
tion of the process of the Bavarian phys-
icist.

Among the experts in physics in San



A VICTORY IN ROENTGEN PHOTOGRAPHY AT THE STATE UNIVERSITY.

The body of a gopher, a shrimp and a brass screw were placed on the slide of the plate-holder. The photograph shows clearly the bones in the legs, the ribs and the backbone of the gopher. The head of the shrimp is barely visible, the pulp offering but slight resistance to the cathode rays. The shell is distinctly marked. The screw shows very clearly in the plate. Reproduced from a print from the plate taken yesterday at Berkeley.

graphed to New York for Crookes tubes of high vacuum, Dr. Samuels offered to lend tubes in his possession. The chemist, Professor William T. Wenzell, offered the use of some tubes from his laboratory. None of these tubes thus far tested are of equally high vacuum with a bulb made in this city, according to Dr. Jones' device, and hence are not equally efficient.

At Berkeley very successful experiments were conducted yesterday. They are described by the pictures and by Professor Cory's article.

Dr. Frick, Surgeon of the United States Army, stationed at the Presidio, has made flash-light photographs of the apparatus

plate shows the fish both life-size and death-size—an unexpected and interesting effect.

THE FISH ON THE PLATE.

Dr. Jones Writes of the Experiment of a Mysterious Flaming.

A small gold fish, through the body of which the blade of a pocket-knife had been thrust, furnished the subject for an experiment yesterday. The result was most successful and was much better than I had anticipated. Owing to the fact that the bones of small fish are in their nature more cartilaginous than bony I expected but a trace of the bones, the negative, however, shows almost every one of the small spines and ribs. They present much the appearance of sea-lace.

successful in every detail, we have been successful with a much shorter exposure of the dry plate. This was probably due to the fact that a much better Crookes tube was available, as in no case was the exposure over an hour in length.

Many forms of tubes were tried by Mr. Drew, Mr. Le Conte and myself, and while an ordinary incandescent lamp bulb made a very beautiful effect, Mr. Drew at once decided that such a discharge was not what was wanted. So carefully had he examined the matter that we were fairly successful on our first trial of a dry plate, and had the tube not broken down at the end of a twenty-five minute exposure, our first photograph would have been one of our best. However, this morning the work was begun again, as a new and very good Crookes tube was at hand, and a number of very good photographs were made.

The apparatus at our command was very complete in every detail, the laboratories in electrical engineering and physics being among the very best in the United States. The induction coil which was used belongs to the department of physics, and is a very powerful one. An alternating current of very high frequency and high voltage was put into the primary coil, and the Crookes tube was put in the secondary circuit. The intense fluorescent glow was then produced in the tube.

We used in every case one electrode inside the tube, the other being provided by gluing lint on the outside. In this manner we succeeded in getting a very concentrated ray, and it was with this that we succeeded in making the photograph shown.

The one of the purse containing two coins, the metal key and the "U C" pin is very clear. The purse belonged to Dr. Joseph Le Conte and was made of ordinary leather, leaving hardly a shadow, while the steel rim and contents show very clearly. A piece of aluminum a sixteenth of an inch thick did not cast as much of a shadow as the one to two thousandths of an inch thick. This shows, as Professor Roentgen has indicated, that aluminum is transparent to the X rays.

The photograph of the dead gopher shows the bones of the legs, the ribs and the backbone. The shadow cast was due to the fact that close contact was impossible between the hard rubber cover of the dry plate and the body of the gopher.

An experiment was tried using two dry plates in one frame, and it was found on developing them that both had been affected by the rays, the farther one being printed through the one in front of it.

The central portions of metal cylinders were printed in deeper shadow than the edges as Professor Roentgen found in his original experiments. Prints were even also made of tubes containing various gases, and it was found that some printed in deeper shadow than others, showing that some gases behave as metals, although the density is very much less. A dozen different metals were placed on the cover of one dry plate and the print clearly shows how the X rays pass comparatively freely through some of them, and are almost completely cut off by the others.

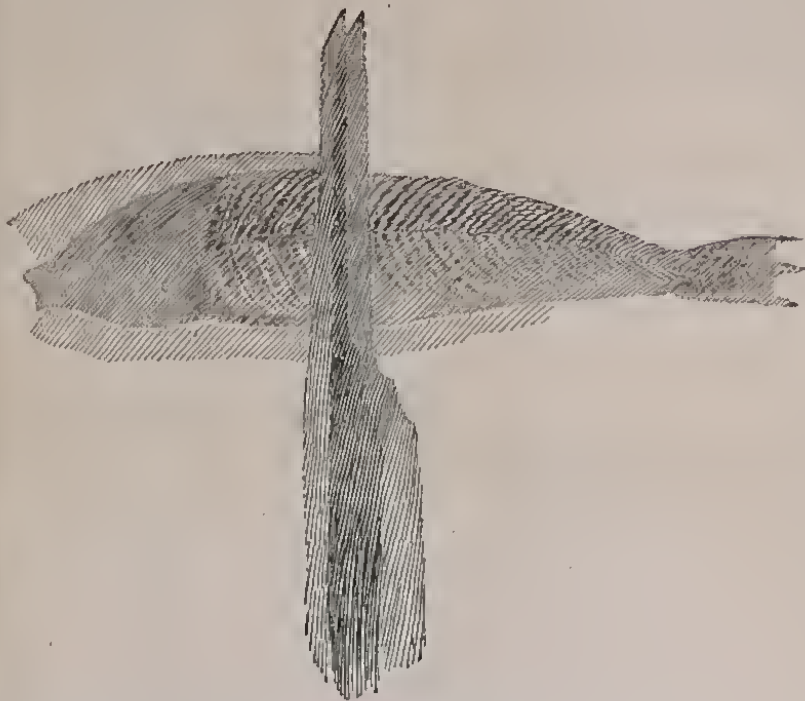
The amount of energy used by us was much greater than that used by many experimenters so far. At some times nearly half a dozen horse power measured in electrical units was used up in energizing the primary of the induction coil. Our results seem to show that the intensity of the cathode rays in a Crookes tube depends more on the quantity and the frequency of the discharge than on the tension of the current. The alternating current of course was found much more satisfactory than the use of the ordinary spark coil.

Professor S. B. Christy of the mining department made a photograph of the Crookes tube while it was being used to print all different negatives. The picture Professor Christy obtained is a very beautiful one and in many ways is like the pictures of the Tesla experiments on high frequency alternating circuits.

The experiments so far have been under the supervision of Mr. Drew and myself, but many other professors and instructors have done valuable work. Professor Christy has developed the photographs and Mr. J. N. Le Conte and Mr. Cottrell have assisted in many ways. Among those witnessing and assisting in the experiments to-day were Dr. Joseph Le Conte, Professor Stone, Professor Rising, Mr. Raymond, Dr. Lewis and Mr. Harman.

C. L. CORY,
University of California.

Berkeley, February 22, 1896.



THE GOLD-FISH AND THE KNIFE THAT STABBED HIM.

The most successful cathodograph yet obtained in the series of "Examiner" experiments in Roentgen photography. The sensitized plate shows clearly the ribs of the fish. The knife blade is distinct through the flesh. When the plate was developed an unexpected effect of double shadow of the fore part of the fish and the knife blade was observed. The explanation is that the fish, wet when placed on the plate-holder, contracted as it dried, and the sensitized plate caught the shadows of the fish, first, wet and long, then dry and short.

Frederick and the neighborhood the closest attention is given to "The Examiner" experiments, the first successful trials of the Roentgen photography in this part of the world. The complimentary message from Professor Fernando Sanford, the distinguished physicist of Stanford, who obtained photographic effects without lines and in total darkness three years before Professor Roentgen discovered that the cathode ray penetrates objects apparently opaque, indicates the in-

terest in "The Examiner" experiments and is preparing a report of the results to transmit with the photographs to the Surgeon-General of the army.

A photograph, or cathodograph, made yesterday by Dr. Jones for "The Examiner" gives the best result yet accomplished. A small gold fish, lately deceased, was the subject. Through the fish was thrust the blade of a pen-knife. The side bones or ribs of a gold fish are so fine that their shadow on the plate was hardly expected. Yet

at the commencement of the exposure the fish was wet, but as time elapsed it dried off and shrunk in size, longitudinally, drawing the head and the knife-blade toward the tail, which remained the fixed point. The double shadow of the head and knife are very plain on the negative.

A curious fact has occurred in my work which I am somewhat at a loss to explain. The tube or bulb, with which I have succeeded in making the cathodographs was filled with illuminating gas and then highly exhausted; the terminals are thin platinum disks. During the course of the exposures the inside of the tube has slowly become coated with a bright, metallic film, giving the bulb the appearance of a metallic mirror. It is now almost opaque, but nevertheless is apparently as useful for taking these strange pictures as at first.

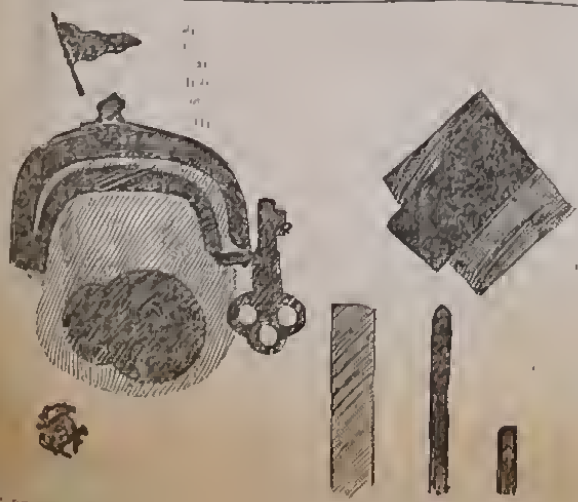
The question is, what is the cause of the metallic coating? If it is platinum, why do not other similar tubes take on the same appearance? I have asked several people for an explanation, but as yet have not had the point cleared up. My own theory, hastily formed and quite possibly wrong, is that the hydrogen of the illuminating gas has formed an alloy with the platinum of the terminals and been deposited on the interior of the tube. The question is one of considerable interest and possibly of chemical value.

PHILIP MILLS JONES, M. D.

SUCCESS AT BERKELEY.

Notable Achievements in Roentgen
Photography at State University.

On Friday morning in the electrical engineering laboratory of the University of California was begun a series of experiments on the new photography, made possible by the discovery of Professor Roentgen that certain so-called "X" rays during



Extraordinary Development in Local Intellect in the Mystic Discovery Since the Experiments for This Paper Began.

While waiting for more satisfactory apparatus than can be obtained here to make the desired and more important experiments in photographing through opaque media, according to the means discovered by Professor Hönitz of Würzburg, Dr. Philip Mills Jones, who is conducting the investigations for "The Examiner," is conducting his trials with small objects, and each experiment gives some new and interesting information concerning the application of the process of the Bavarian physicist.

Among the experts in physics in San

frisco and the neighborhood the closest attention is given to "The Examiner" experiments, the first successful trials of the Roentgen photography in this part of the world. The complimentary message from Professor Fernando Sanford, the distinguished physicist of Stanford, who obtained photographic effects without lens and in total darkness three years before Professor Roentgen discovered that the cathode ray penetrates objects apparently opaque, indicates the interest in the experiments.

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THE FISH ON THE PLATE.

Dr. Jones writes of the experiment made at a Myelocystus Platina.

A small gold fish, through the body of which the blade of a pocket-knife had been thrust, furnished the subject for an experiment yesterday. The result was most successful and was much better than I had anticipated. Owing to the fact that the bones of small fish are in their nature more cartilaginous than bony I expected but a trace of the bones, the negative, however, shows almost every one of the small spines and ribs. They present much the appearance of fine lace.

We used in every case one electrode inside the tube, the other being provided by gluing the foil on the outside. In this manner we succeeded in getting a very concentrated ray, and it was with this that we succeeded in making the photograph shown.

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The photograph of the dead gopher shows the bones of the legs, the ribs and the backbone. The shadow cast was due to the fact that close contact was impossible between the hard rubber cover of the dry plate and the body of the gopher.

An experiment was tried using two dry plates in one frame, and it was found on developing them that both had been affected by the rays, the latter one being printed through the one in front of it.

The central portions of metal cylinders were printed in deeper shadow than the edges as Professor Roentgen found in his original experiments. Prints were even also made of tubes containing various gases, and it was found that some printed in deeper shadow than others, showing that some gases behave as metals, although the density is very much less. A dozen different metals were placed on the cover of one dry plate and the print clearly shows how the X rays pass comparatively freely through some of them, and are almost completely cut off by the others.

The amount of energy used by us was much greater than that used by many experimenters so far. At some times nearly half a dozen horse power measured in electrical units was used up in energizing the primary of the induction coil. Our results seem to show that the intensity of the cathode rays in a Crookes tube depends more on the quality and the frequency of the discharge than on the tension of the current. The alternating current of course was found much more satisfactory than the use of the ordinary spark coil.

Professor S. B. Christy of the mining department made a photograph of the Crookes tube while it was being used to print six different negatives. The picture Professor Christy obtained is a very beautiful one and in many ways is like the pictures of the Tesla experiments on high frequency alternating currents.

The experiments so far have been under the supervision of Mr. Drew and myself, but many other professors and instructors have done valuable work. Professor Christy has developed the photographs and Mr. J. N. Le Conte and Mr. Cottrell have assisted in many ways. Among those witnessing and assisting in the experiments today were Dr. Joseph Le Conte, Professor Stole, Professor Rising, Mr. Raymond, Dr. Lewis and Mr. Hersam.

C. L. CORY,
University of California.
Berkeley, February 22, 1906.

THE GOLD-FISH AND THE KNIFE THAT STABBED HIM.

The most successful cathodograph yet obtained in the series of "Examiner" experiments in Roentgen photography. The sensitized plate shows clearly the tiny ribs of the fish. The knife blade is distinct through the flesh. When the plate was developed an unexpected effect of double shadow of the fore part of the fish and the knife blade was observed. The explanation is that the fish, wet when placed on the plate-holder, contracted as it dried, and the sensitized plate caught the shadows of the fish, first, wet and long, then dry and short.)

used in "The Examiner" experiments and in preparing a report of the tests to transmit with the photographs in the Surgeon-General of the army.

A photograph, or cathodograph, made yesterday by Dr. Jones for "The Examiner" gives the best result yet accomplished. A small gold fish, lately deceased, was the subject. Through the fish was thrust the blade of a pocket-knife. The side bones or ribs of a gold fish are so fine that their shadow on the plate was hardly expected. Yet

At the commencement of the exposure the fish was wet, but as time elapsed it dried off and shrank in size, longitudinally, drawing the head and the knife-blade toward the tail, which remained the fixed point. The double shadow of the head and knife are very plain on the negative.

A curious fact has occurred in my work which I am somewhat at a loss to explain. The tube or bulb, with which I have succeeded in making the cathodographs was filled with illuminating gas and then highly exhausted; the terminals are thin platinum disks. During the course of the exposures the inside of the tube has slowly become coated with a bright, metallic film, giving the bulb the appearance of a metallic mirror. It is now almost opaque, but nevertheless is apparently as useful for taking these strange pictures as at first.

The question is, what is the cause of the metallic coating? If it is platinum, why do not other similar tubes take on the same appearance? I have asked several people for an explanation, but as yet have not had the point cleared up. My own theory, hastily formed and quite possibly wrong, is that the hydrogen of the illuminating gas has formed an alloy with the platinum of the terminals and been deposited on the interior of the tube. The question is one of considerable interest and possibly of chemical value.

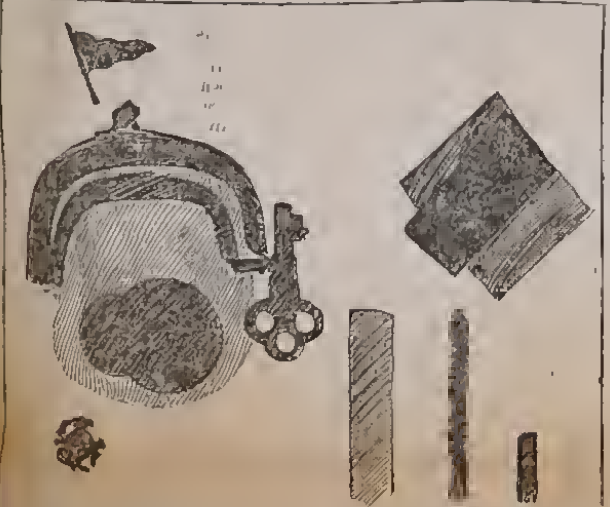
PHILIP MILLS JONES, M. D.

SUCCESS AT BERKELEY.

Notable Achievements in Roentgen Photography at State University.

On Friday morning in the electrical engineering laboratory of the University of California was begun a series of experiments on the new photography, made possible by the discovery of Professor Roentgen that certain so-called "X" rays coming from the fluorescent surface of a Crookes tube will penetrate many substances opaque to the ordinary rays of light. The entire day was spent in getting a satisfactory cathode ray, and it was not until half-past 1 o'clock in the afternoon that success was obtained.

Mr. R. R. Drew, instructor in the Physics department, had been experimenting on a small scale with but slight success, and on Friday no results had been obtained. After consulting with him and Mr. J. N. Le Conte of the Electrical Engineering department it was decided to try some of the large dynamos available in the electrical laboratory. This more proved to be a good one, and the result of today's work shows a set of photographs which are the equal of those made by the staff of experts headed by "The Examiner." While the photographs made by "The Examiner" are



THE RESULT OF ONE OF THE MOST SUCCESSFUL EXPERIMENTS AT THE STATE UNIVERSITY

A photograph by the Roentgen process showing the various details of metals, as indicated by the shadows. The piece on the left, owned by Dr. Joseph Le Conte, contained a gold wire and a silver 2-cent coin. Below the wire is a gold class pin. The monogram and the date are clearly in the photograph, taken through the rubber slide, as in the picture. At the top is the piece in the form of a diamond. The key next to the piece is that it is a piece of aluminum which has had a light shadow, the metal although quite thin being readily penetrated by the cathode ray. Next was a piece of selenium, and the shadow shows a bit of platinum. In the upper right-hand corner are the shadows of two pieces of tin foil, one piece laid flat, the other folded. Reproduced from the Roentgen photograph taken yesterday at Berkeley.

from at Palo Alto. One of the Stanford physicists called upon Dr. Jones yesterday and took prints from his plates to exhibit at Palo Alto. The request from doctors of this city for information concerning "The Examiner" investigations came down recently they are for using the new Roentgen kind of light in diagnosis and of apparatus have also been received. The reading that "The Examiner" tel-

when the plate was developed the tiny bones were plainly marked and the knife blade was very distinct. About the head of the fish were two shadows, one within the other. This phenomenon for a time seemed inexplicable. Then the discovery was made that the fish was not when placed on the slide of the plate-holder. As the fish dried it contracted and this sensitized

plate caught the shadows of the fish, first, wet and long, then dry and short.)

EVIDENCE SHOWS ORCHARD PLANTED BRADLEY BOMB

LIVES IN THIS CITY AT TIMES UNDER NAME "BERRY"

Three witnesses were found in San Francisco yesterday who recognize the pictures of Orchard, the self-confessed murderer of former Governor Steunenberg of Idaho, as those of Frank Berry, who hung around the Bradley home prior to the explosion, and this evidence shows that Orchard himself planted the bomb. Steve Adams, arrested in Oregon for complicity in the assassination of Steunenberg, made a confession at Boise yesterday corroborating the story told by Orchard.

Mar 3-1906 - Call -

Appears on the Streets
Only in the Dead
of Night.

Disappears Immediately
After the Terrible
Explosion.

Neighbors Sure He Is
Man in Toils of
Law at Boise.

New evidence of a sensational nature discovered in this city yesterday seems to prove beyond possibility of doubt that the dead who attached the dynamite bomb to the door of the flat of F. W. Bradley in November, 1904, as told exclusively to The Call, and failed to commit murder only because of the tremendous vitality of the bruised and torn nitro man, was none other than the infamous Harry Orchard himself, the self-confessed murderer of former Governor Steunenberg of Idaho.

Orchard in his confession told all of the details of the fearful attempt to murder this ex-superintendent of mines and said that the planting of the bomb was the work of certain unnamed representatives of the "Inner Circle" of the Western Federation of Miners. At the same time in his confession Orchard swore that he was in no way connected with the crime.

Evidence shows, however, that for a month before the attempt on the life of Bradley Orchard was living within one block of the mine owner's flat. He was seeking to hide his identity and masked under the name of Frank Berry. A day after the explosion he disappeared and was not seen again for over a month. Then he crept into San Francisco late one night and walked up in front of the flat where the bomb had exploded. He talked to but one man that night and then left the city, never to be seen here again.

ORCHARD MASKED AS BERRY.

Three people have recognized the pictures of Orchard published in the papers as those of Berry. They all state positively that they cannot be mistaken—the man who murdered former Governor Steunenberg is the Berry who hung about the flat of Bradley in this city and disappeared immediately after the explosion.

The first of these three who have made the positive identification of the picture is Charles S. Mahnike, special officer, patrolling the beat in the neighborhood of Bradley's flat at night. Bradley was then away, visiting his mine, and he did not return until two days before the explosion took place. "I first saw Berry about a month before the flats were wrecked," said Mahnike, "and I watched him because he was about as much of a night bird as seemed to have just reached the city and was living somewhere on Washington street. He told me that he was a gambling man from Stockton, and that the reason he prowled at night was that he could not get into the habit of sleeping before morning. I watched him closely, for his habits made me suspicious. He never inquired of me about Bradley."

MAHNIKE WATCHED THIS MAN.

Special Officer Charles S. Mahnike tells in detail how Harry hung around the neighborhood of Bradley's flat at night. Bradley was then away, visiting his mine, and he did not return until two days before the explosion took place. "I first saw Berry about a month before the flats were wrecked," said Mahnike, "and I watched him because he was about as much of a night bird as seemed to have just reached the city and was living somewhere on Washington street. He told me that he was a gambling man from Stockton, and that the reason he prowled at night was that he could not get into the habit of sleeping before morning. I watched him closely, for his habits made me suspicious. He never inquired of me about Bradley."

"But one day Bradley's home-coming was made known about the neighborhood. That night Berry told me that he was going away in a day or so. The morning of the explosion I went off duty at about 5 o'clock. The explosion was at 7:30. I saw Berry that night. He was around until 3 o'clock in the morning. I think I did not see him until a month later, when he suddenly appeared on my beat late at night and asked me something about the explosion. I told him what damage had been done. He went away at once and I have never seen him since."

RECOGNIZED MURDERER.

"Then I read in the papers of the late murder of Steunenberg. A few days later I saw the picture of Orchard, the murderer, and I recognized it once. 'That is Frank Berry,' I said to myself. 'That is the man who was seen about Bradley's flat.' I am sure Orchard and Berry are one and the same man. It is Bradley's door until I saw it in 'The Call' this morning."

V. Stubbini also tells of Berry's night prowling. "He often came by the store to buy things," he said yesterday, "and I knew him quite well. I am sure that the picture of Orchard is that of Berry. They are the same man."

Mrs. Linda Stubbini told excitedly yesterday of her dealings in the store with Berry. "He came in here often," she said



Mrs. LINDA STUBBINI.

Confession of Orchard
Corroborated by
Steve Adams.

Man Arrested in Oregon
Tells of Steunenberg's Death.

Gives Details of Other
Crimes Ordered by
Federation.

BOISE, Idaho, March 2.—The Statesman will say in the morning:



CHAS. S. MAHNIKE.

DEALEY PHOTO

SPECIAL OFFICER AND WOMAN, BOTH OF WHOM RECOGNIZE PUBLISHED PICTURE OF MURDERER ORCHARD AS THAT OF BERRY, THE MAN WHO HUNG AROUND THE BRADLEY HOME BEFORE THE EXPLOSION.

"The Statesman is authorized to announce that Steve Adams, arrested at Helena, Mont., on February 29, in connection with the Steunenberg assassination, has made a full and sweeping confession. This second confession is far more important than that made by Harry Orchard."

This is the statement made last evening by James McParland, the famous detective, to the presence of Governor Doolittle and J. W. Hawley, who is in charge of the prosecution.

McParland added that Adams' confession fully and exactly corroborated that made by Orchard at every point touched upon by both.

Moreover, McParland continued, Adams knows far more of the workings of the inner circle than Orchard did, and was able to give a mass of detailed information that Orchard's confession did not cover.

The confession of Adams, he said, corroborated that given by Orchard in every substantial point connected with the assassination of ex-Governor Steunenberg. Adams, however, was not at Caldwell at the time of the assassination, nor was Orchard at the time of the unsuccessful effort in November. The man who assisted Orchard on the latter occasion, as set forth in Orchard's confession, was Jack Simpkins.

Still another statement made by the detective was that the Adams confession gave the details of a large number of murders that were not referred to in any manner by Orchard. It was further stated that the confession had been reduced to writing, signed and acknowledged. It was a voluminous document, covered a greater field and in more detail than that made by Orchard. The further statement was made that Adams had made this confession without being asked anything. When asked what about the matter he simply made a clean statement of all he knew of this case and of the secret workings of the Western Federation.

It was announced by the Governor, Hawley and McParland, that while they thought these facts should be given to the public there should be no further information given out or hinted at respecting this confession.

Thereafter, during this evening gave out the following statement:

LAWS BUY
THE HOTEL
FAIRMONT.

The beautiful Fairmont Hotel, which is the first and most imposing sight to the stranger coming from across the bay to San Francisco, has been sold. The transaction is the largest of the character in the history of the State.

After considerable conference Mrs. Hermann Oelrichs has sold the magnificent structure to Herbert E. Law and Dr. Harland Law. Details of the great transaction were completed last night.

The deal involves \$5,000,000, the hotel alone running to about \$3,000,000.

Mrs. Oelrichs has accepted as payment for the Fairmont Hotel property the Rialto office building, on the southeast corner of New Montgomery and Mission streets, owned by Herbert E. Law, and the Cleaney office building, on the northeast corner of New Montgomery and Mission streets, owned by Dr. Harland Law.

The San Francisco friends of Mrs. Oelrichs will be pleased to know that this sale does not mean that she is to sever her San Francisco interests entirely. Mrs. Oelrichs gets property on which are located such tenants as the United Railroad of San Francisco, the Standard Oil Company, the California Gas and Electric Corporation, Milliken Bros., steel men, the Standard Electric Corporation and many others.

It is stated that the Law brothers will themselves undertake the management of the Fairmont, and that they will make it second to none in the whole world; as among the largest owners of real property in this city and county it is their belief that this one thing will do more than any other to make the city progress and to enhance the value of real property holdings, and will give to the Fairmont Hotel a world-wide reputation.

It is a source of great satisfaction to San Francisco people that this hotel, which has been considered by numerous transients from other large cities, is finally taken over by two of San Francisco's best and ablest business men. The Law brothers are men that make things go and their enterprises know no other word than success.

Mrs. Oelrichs will be congratulated on every hand upon the shrewd turn that she has made in relinquishing the ownership and operation of this immense hotel. A property such as the Fairmount requires strict personal attention from its owners, and Mrs. Oelrichs, being unable to give this to the property, has nevertheless succeeded in losing it out.

It is nevertheless true that Mrs. Oetle has made an advantageous turn in converting a property, to which she was unable to devote her personal attention, into first-class, income bearing business property, in the very heart of the business section of San Francisco.

As is well known, the Fairmont Hotel occupies the entire block bounded by Millard, Sacramento, Powell and Mason streets, and is 412 1/2 by 375 feet in size. It has been in process of erection upward of four years. It is expected that it will be completed long before the close of this year.

The Rialto building covers a lot fronting 102 feet on New Montgomery street, 13 feet 10 1/2 inches on Mission street and 13 feet 8 inches on Minna street and consists of a modern, class A steel structure, eight-story and basement building.

The Corsley building covers a lot 160 feet on New Montgomery street by 13 feet 10 1/2 inches on Mission street and 18 feet on Jessie street and consists of a modern, seven-story and basement steel structure.

This is the largest single sale ever made in the State of California, involving, as aforesaid, \$5,000,000. The nearest approach in size to this sale was the sale made by Mrs. Ulrichs to the Sprinkle-Phelan syndicate of the Lark House and other properties two years ago for \$2,500,000. Thomas Mearns & Sons acted as Mrs. Ulrichs' agents and negotiated the transaction.

**ROBBER WORKS
IN DAYLIGHT**
Mar. 3 ————— *1906*
A. Schmutenhaus Is Held
Up by a Man With a
Revolver Near County Line
————— *Call*

It is seldom that a spoiled woman in broad daylight. Theriute something like confinement eased the Potter Department when Arthur Schmittbauer, a nurseryman employed in Schwerin's nursery on Walbridge street, west of San Ramon avenue, near the county line, reported that he was held up by a man with a revolver at 8 o'clock yesterday morning and compelled to hand over his purse containing between \$12 and \$15 and 50 pennies.

Schnulshaus said he left the nursery at 11 o'clock in a buggy to drive to the city. When he had driven about two blocks from the nursery he observed a man riding by the roadside. As he drew near the stranger walked to the middle of the road and pulling a revolver at Schnulshaus ordered him to throw up his hands. Schnulshaus testified that

"Now," said the robber, "hand out your money and be quick about it." Schallenthaus handed out his purse and the robber said, "Get out of the buggy and walk back to the nursery. Don't look around or I'll bore a hole through you."

Schultenhaus climbed out of the buggy and worked back to the nursery as ordered. He told his experience to two of the other employees and they armed themselves with shotguns and started out to search for the footpad. They made a careful search of the hills, but could find no trace of him. They thought he had gone in the direction of the San Bruno road.

Schnulenhans reported the holdup to
 Policeman P. E. O'Brien, who notified
 police headquarters, and Captain Burnett
 detailed Detectives Graham and Harrison
 to the case. Schnulenhans describes the
 culprit as 25 years of age, five feet four
 or five inches tall, weight 135 pounds, very
 dark complexion, smooth face and with
 two or three days' growth of beard. He
 wore a light cotton working shirt, no tie,
 dark suit of clothes and soft black tril-
 by hat.

COUNTERFEITER IS CAUGHT IN HOTEL

William Mead, 60 Years Old
Taken With Complete Out-
fit, Confesses Guilt.

Secret Service Agents Grover Horn and Harry Moffitt, at 11 o'clock last night, arrested in his room at the Sutter House, San Francisco, a man named William Mead, aged sixty years, one of the eleven counterfeiters who were operated in San Francisco. In Mead's apartment, which he has occupied for many months, was found a complete outfit for manufacturing spurious coins. The kit of tools, consisting of molds for silver, quarters and five pieces, was seized, together with about \$20 worth of the illegal coins. Dejected in spirit, crippled with age and acting the hopelessness of his case, Mead readily admitted his guilt.

The detective gained entrance to the room by means of a paperweight on a keyhole in the hotel. Alford formerly followed railing for a living. For the past six years he has been a resident of San Francisco. For the past four months the United States authorities have been on the man's track. The illegal gains usually appeared first on the street cars and the conductors informed the police. Surpless finally laid a trap and an agent man who talked with a crutch and always appeared in bed-ragging rags for change. Alford claims that he was not over and, injured by a Wells Fargo fire, was in the city several years ago.

SUBSCRIPTION SALE FOR 1906
GRAND OPERA IS RECORD

It was announced last night that the total number of subscribers for the coming winter season had gone over the \$100,000 mark. This figure represents the credit amount of money contributed in a grain and copra sale and establishes a standard which it is believed it is impossible to overreach. The proceeds for the sale have come from points as far south as the City of Manila, as far west as Honolulu, and as far east as the Cape of Good Hope. The interest in the sale is spreading all over the State of California and all other parts of the United States. The sale is a success and the proceeds are being used for the benefit of the Hawaiian people.

FOUND GUILTY OF HAVING
FALSELY AIDED ALIENS

APR 8 1936
G. H. McInnis, Clerk of Court
Federal District Court

[illegible]

COLLINS LATE IN FEDERAL COURT

Apr 10 — 1906
Judge De Haven Postpones
Hearing of Habeas Corpus

George D. Collins was out on him where Judge De Haven called up his habeas corpus petition in the United States Circuit Court yesterday. He turned up in custody of the Sheriff in minimum attire and explained that he had been delayed by a street car jam, but the court had contempted the matter in Thursday morning before he arrived. Collins said he would in soon as possible ask the Supreme Court to set aside Judge Hingham's order made on Sunday reminding him in the custody of the Sheriff. He declares that the order was clearly illegal.

Collins appeared before Judge Hingham and explained that the judge grant him permission to visit his parents in the Terrellville Hotel where the papers would be to get their documents and papers. Hingham had no objection and Collins made the journey in charge of a deputy sheriff, his guardian.

TWO BILL RAISERS
NOW IN THE TONS

Apr 13 — 1906
Taking of Henry Hawkins Here
Leads to Fred Ruth's Arrest
in Los Angeles for Crime.

With the arrest of Fred C. Ruhl at Los Angeles yesterday another bill-raising combination has been broken up. Ruhl was arrested by Secret Service Agent John M. Cronin on telegraphic instructions from George W. Haugen.

Ruth was a partner of Harry H. Hankins, who was arrested by the police at 711 Taylor street last Saturday night while attempting to pass a forged \$10 bill on Mr. Le Clair, the landlady. Hankins tendered the bogus bill in payment of a week's room rent. The price of the room was \$1.50 and as he did not have the money Mr. Le Clair sent a messenger to a grocery store at the corner of Turk and Taylor streets to get the bill changed. The grocer had been warned by Hazen and when he got possession of the bill he sent for a policeman to take Hankins prisoner. The messenger related how he got it and the officer returned with him to the lodging-house. Hankins was still there and he was placed under arrest and made a prisoner. He implicated Ruth, who is especially well known for raising \$1 silver certificates to represent

Hawkins is about twenty-four years old and before he came to this city he worked as a farm hand near Minneapolis. He is nine years older. He is a collector and was with the Canadian Rifles in the Barr war. Neither of the men has a criminal record.

LAWLESS GANG IN THE DESERT

Mar 3 — 1906
Shooting of "Scotty's" Brother
er May Result in Formation
tion of Vigilance Committee

LOS ANGELES, March 2.—Apropos of the smothering and almost fatal shooting of Warren Scott, brother of the miner Waller Scott, in Barlow's Vallery a couple of days ago, which event followed closely upon the shooting of Waller Scott himself in the same manner and at the same place, the funeral locally, an evening past, had a lengthy story from Barlow's Vallery. As far as the edge of the desert is concerned, the citizens there are greatly aroused over the state of lawlessness existing in the desert and adjoining mountains and determined action will probably be taken to scourge the country of outlaws and bandits. The state plates that more than twenty desperadoes have been met, twenty shot and killed on the desert within a few days past of Barlow's. The life of no person, claims the article, is safe out there in the desert.

It is likely that a vigilance committee will be formed in the latter part of the month, it is rumored, and learn it possible the killing of the men who are doing wrong in the California Mountain, where he was brought yesterday. He will be recovered by the state. He arrived here today with some pieces of the ambush of his party and the wounding of his brother.

S CONFESSES TO ROBBERIES BY THE SCORE

TRUCK GARDENER STEALS FROM RAILWAY FOR FIVE LONG YEARS

A. F. VOSE, THE GERMAN GARDENER WHO STOLE FROM THE RAILWAY AT SATHER FOR FIVE YEARS WITHOUT BEING CAUGHT, AND JUST A FEW OF THE MYRIAD OF ARTICLES THAT HE MADE WAY WITH.

Apr 14 1906
German Gardener Leads Lives of Big Corporation
Chase Before Deputy
Lands Him in Jail.

Examined Cars at Sather Station and Helped Himself to Anything He Desired, While His Wife Is in Ignorance of Work.

OAKLAND, April 13.—The very simple story of A. F. Vose, the confessed railway robber, who was arrested by Sheriff Barrett at Sather station, will make his capture all the more interesting for the many officers who have been killed by his robberies during the last five years. In appearance Vose is the simple, unassuming, innocent German type. With its utmost frankness he has confessed to almost a score of robberies. The following is a partial list of the effects in the hands of the Sheriff in the vaults at the jail: a sewing machine, gasoline engine, cooler, pair of diet rollers, five boxes of cigars, three spraying machines, a lamp, a radio, several boxes of photographs, a pair of electric call bell, one box of linoleum, a two-wheel car, one large box of tools and numerous other articles.



While confessing the prisoner stated that he would drive up to a car or to the depot and load the first piece of freight in his wagon. On occasions there were many persons standing about when he would drive away with his load, but he was not molested and never questioned by a person.

The remarkable confession rehearsed the history of robberies at different times told by Vose at Sather station. The capture of Vose was made in a manner that the ordinary melodrama artist would deem commonplace. It was an unassuming and unusual and great credit to Sheriff Barrett, brother of Sheriff Barrett. The railroad company has had more than the car continuously for five years. On the first of the month P. J. Kindred, chief agent of the Southern Pacific railroad, informed that he gave the first blow. For many days and nights Deputy Barnett searched himself in the depot. Thursday night a man came to the depot. He walked to a car and deliberately took out a good sized box and carried it to his wagon. The instant that he had deposited the box the Deputy raised his shotgun and firing a single shot over the robber's head cried out to him to throw up his hands or that he would blow his head off. Vose surrendered. When he was taken to the jail a late improved 25 caliber Colt revolver mounted on a 15 frame was found in his pocket. The robber was compelled to drive to the county jail where they arrived at 10 o'clock this morning. This it was that Vose told his story.

How went in the home of Vose, which is located at Ohio and Laurel avenues, and recovered a quantity of stolen food.

Vose came from Germany. He was born thirty-six years ago and came to Chicago with his parents when he was three years of age. He worked as a teamster in Chicago until nine years ago, when he met with an accident that cost him the loss of his right leg. After this he did odd jobs of carpenter work. Mrs. Vose is a pleasant German woman whom Vose married in Chicago nine years ago, and did not know of the wrong doings of her husband. She is heartbroken. She says that she labored with her husband to buy the little home where they live. She has not been to jail to see her husband although he has sent for her repeatedly.

"One night I was unloading some lumber from a car at Sather," said Vose. "The car that was standing next to it was closed but unlocked. I took several boxes of freight from it, and drove home and hid them in the barn. This was about five years ago. I then at different times took parts of the contents into the house so my wife would not ask any uncomfortable questions. All of them contained groceries. I can't think what made me do it unless it was because I had such a hard time to make both ends meet. With only one leg I was handicapped in working at the regular carpenter business, and could only make from \$7 to \$11 per week and we could hardly live on that.

"I have never sold any of the things that I have stolen. I just used them myself. Both of my parents are dead. I have three married sisters—Mrs. Middletown, who lives in Chicago; Mrs. Morrissey of St. Louis and Annie, the youngest of the family, who recently married some man in Chicago."

ATTORNEY MITCHELL IN THE SHADOW OF THE PENITENTIARY

THIS is a picture of Attorney David Mitchell of Oakland, who was convicted yesterday, and Bernice Brown, one of the witnesses against him in the charge preferred by Evelyn Walker. An effort was made to bribe Miss Brown on the opening day of the trial.

Examiner

JURY FINDS THAT LAWYER IS GUILTY

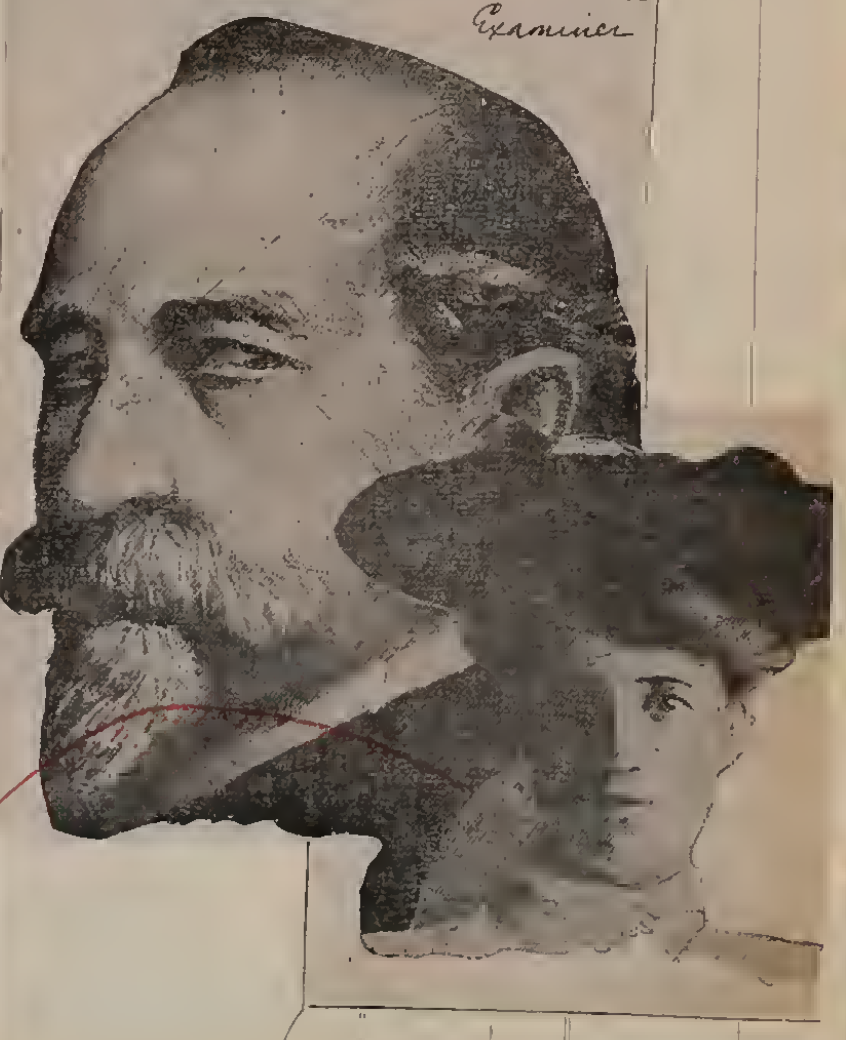
Twelve Men Are Out Twenty Minutes When They Bring in a Verdict.

Apr 14 1906
OAKLAND, April 13.—David Mitchell, a prominent attorney of Oakland, was convicted by a jury in Judge Harris' court today of an attack upon Evelyn Walker, a fourteen-year-old school girl. After a trial lasting five days it took the jury just twenty minutes to reach a verdict of guilty. But one ballot was taken. Mitchell will be brought up for sentence a week from next Monday.

A sensational incident of the trial was the arrest, on Monday last, of two youths named Francisco Domingo and Frank Ream on a charge of attempting to bribe one of the witnesses for the prosecution. It was on the first day of the trial and while the work of impaneling a jury was in progress that Miss Bernice Brown, a young lady who was in the company of the prosecuting witnesses at the time of the alleged attack, declared she had been approached by Domingo and Ream, who told her that Mitchell would give her \$500 to leave Oakland and not return until after the trial. The two youths are now awaiting trial upon the offense charged. Miss Brown testified at the trial of Mitchell, and it was upon her evidence in substantiation of that given by the prosecuting witnesses that the lawyer was convicted.

For the defense half a dozen witnesses were produced by Mitchell to prove an alibi. These swore that on the afternoon of November 11th last, at the time when the offense charged was alleged to have been committed, the defendant was engaged in transacting the business of numerous clients. The jury, however, chose to believe the story told by Evelyn Walker and her friends, and to the apparent surprise of Mitchell and his three counsel the twelve men in the box remained in deliberation only long enough to cast one ballot in favor of sending the accused to the State prison.

Mitchell accepted the verdict of the jury stoically enough. He shrugged his shoulders and then conferred with his counsel, who at once gave notice of appeal. At their request Judge Harris postponed the passing of sentence until a week from next Monday. Mitchell was then taken back to jail.

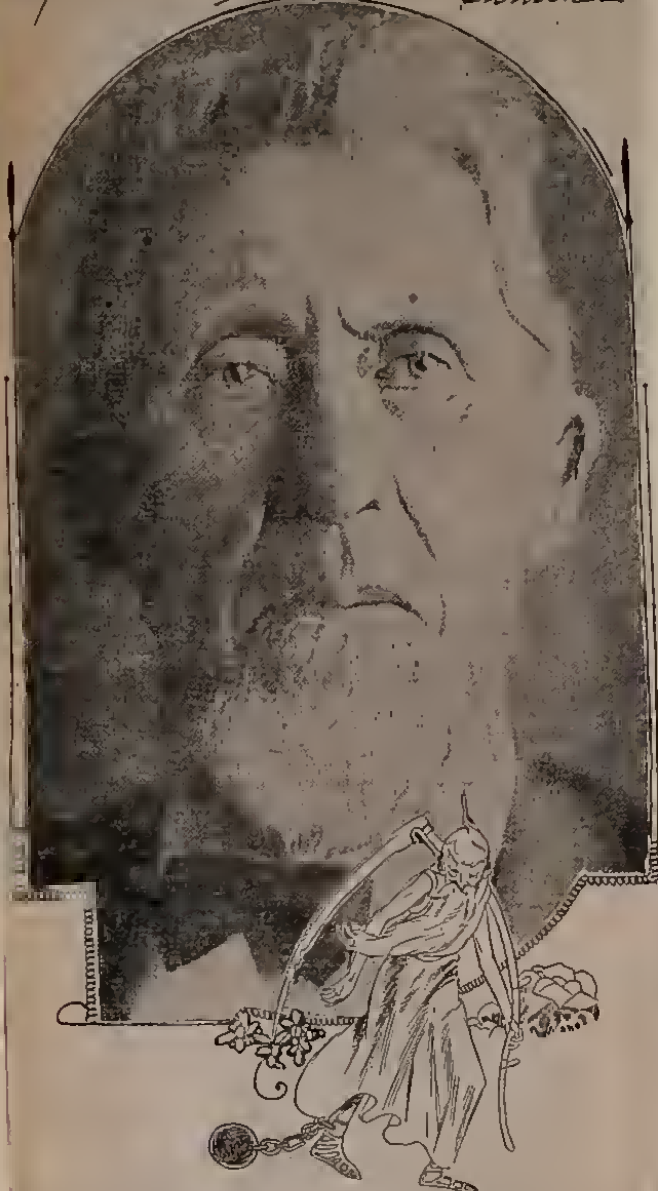


W. B. BRADBURY SENTENCED TO

ONE YEAR IN
SAN QUENTIN

April 6-1906

Examiner



MILLIONAIRE WILLIAM B. BRADBURY, SENTENCED TO ONE YEAR IN SAN QUENTIN FOR PERJURY.

DISGRACE BOWS AGED MILLIONAIRE

Trembles as Punishment for Perjury Is Pronounced, and Declares Fate Unjust.

Special Dispatch to The Examiner
SAN RAFAEL, April 5.—Bowed with the weight of seventy-two years, William B. Bradbury, the Coric Modera millionaire, stood before Superior Judge Carroll Cook here this morning and was sentenced to serve one year in San Quentin prison for the crime of perjury, at which he was convicted by a jury here some weeks ago. As the words making him a felon were pronounced the gaunt and knotted fingers of the aged man clutched at the edge of the table in front of him, and his wife trembled visibly in her chair behind him. The disgrace thrown upon him in the judgment seemed to penetrate the very marrow of the man who in years of thrift, energy and financial ability has amassed to himself and his children's house a great fortune.

The bald front which he had exposed for the past forty years to those who tried to bar his way to the race for dollars was bald no more. The stooped shoulders quivered in their sockets and the gray beard moved in a way that told that the square-jawed law-breaker, with his sunken, wrinkled cheeks, was trembling too.

VINDICTIVE IN MIND.

Judge Cook spoke the sentence coolly and accompanied it with soothing words, but in the end the sting was there—"one year in the State's prison and convict stripes." The memory of two pallid homes, one dwelling among the redwoods of Coric Modera with its waterfalls and fountains and the other sunning its marble steps at California street and Van Ness avenue in San Francisco, must have been stung in the gaping wound.

When the case was called Judge Cook, who came over from San Francisco, rendered his opinion declaring that there was no merit in the defendant's motion for a new trial or in his motion in arrest of judgment. The opinion was long, and pointed by point it demolished the technicalities raised in Attorney J. W. Cochran on behalf of his client. In the end

W. B. BRADBURY'S RULES OF SUCCESS

BE HONEST, because honesty is better than dishonesty. A man is always paid more for being honest than for the quality of his work.

BE SAVING. Get into business on your own account and put your money in the bank. Put your savings into interest-paying property, avoiding non-productive property.

BE TRUTHFUL to everybody. Let your word be as good as your bond. Never make a contract that you don't intend to fill.

LET LIQUOR ALONE. Abstain from the use of cigars or tobacco in every form. I have never smoked or chewed tobacco nor drank a drop of liquor.

SLEEP REGULAR HOURS. This will give you a clear head. Staying out late at night will hurt you for business in the morning.

EAT PLAIN FOOD. Don't eat too fast. The only thing that kills me now is eat too fast. I am a slow eater, and that is because I ate too fast.

BE CAUTIOUS IN BUYING. A good buy is an easy sale. Discard your bills by paying cash and save more than interest. If you owe say one lot it be your banker.

The defendant was told to stand up and was asked if he had anything to say why sentence should not be pronounced. Bradbury looked to his attorney appealingly, and Mr. Buchanan began a plea for mercy which was stopped by Judge Cook, who caught up the thread and continued it. He said in part:

"The defendant is not a criminal and does not belong in that class. One day's imprisonment would be as great a punishment to him as ten years would be to a criminal. He is convicted of perjury, but it was not aggressive perjury. He did not go into court prepared to swear away a man's life or property. His was deliberate perjury. It was an inclination of his examination, and was dragged from him by a series of questions. He denied that he had ever asked the Marin County Bank not to loan J. S. McCue money with which to redeem a mortgage held by him (Bradbury). While this was material in that civil suit, I take it that the defendant made the denial more to save himself from having to admit that he had done something mean. He did not volunteer this statement but, as I say, it was dragged from him."

THE MINIMUM SENTENCE.
"Unfortunately the law limits me in the matter of imposing sentence to this

COLLINS IS CLAPPED INTO JAIL AGAIN AFTER A DAY OF LIBERTY

JUDGE REVOKES HIS ORDER ADMITTING HIM TO BAIL

Apr 9-1906

After enjoying a short twenty-four hours of liberty, George H. Collins, recently convicted of perjury in the Superior Court and sentenced to serve fourteen years at hard labor in San Quentin, was again taken into custody last evening and is now a prisoner in the Broadway jail. He was released Saturday evening by Judge Frank J. Murphy, on no order issued by Judge Thomas F. Graham, on a bail bond of \$25,000, pending the return of a writ of habeas corpus. He was reintroduced last evening on an order issued by Judge Graham, on the application of Assistant District Attorney William Hoff Cook.

Collins obtained his liberty under what is known as "Cook's" interpretation of section 1476 of the Penal Code—a section which provides that when a habeas corpus petition is granted, the judge may admit the prisoner to bail, provided the offense is bailable, pending the determination of the proceedings. This, Collins argues, means that the prisoner may be admitted to bail when the writ is issued. Cook assumes—and the court by its latest action appears to admit the validity of the assumption—that Judge Graham had no right to admit Collins to bail pending the return of the writ, but grants the writ after the return of the writ, but pending its hearing.

Cook also stated in his affidavit and application praying the court to rescind its order and to recommit Collins to jail, that on the latter had been admitted to bail without the knowledge of the District Attorney, the \$25,000 bond was invalid, and that Collins, in large part after his conviction for felony, was in the eyes of the law an escapee. Judge Graham, after hearing the application of the Assistant District Attorney, immediately revoked his former order, and a few minutes later Collins was once more a prisoner in the hands of Deputy Sheriffs J. J. Ryan and Richard Haynes.

UPON HIS RELEASE Saturday evening Collins went to the Terminus Hotel on Market street, where Mrs. McCurdy and Mrs. Clancy McCurdy-Collins were living. There he spent the night and all of yesterday. In the afternoon he granted a short interview to an "Examiner" representative, but the balance of the day he kept close to his own apartments, talking with the woman he calls his wife, and preparing his appeal brief.

As he had been notified that he was likely to be arrested, the deputy sheriffs did not take him by surprise. He was not in when Ryan and Gaynor called at the hotel. They met him on the street returning in his automobile. Whatever his feelings may have been his nerve did not leave him. He presented the same vivacious and courteous exterior he has preserved since his return to this city from Victoria.

"You want me?" he asked. "Well,

HOW COLLINS SPENT ONE DAY OF LIBERTY

This is how Collins spent his one day of liberty, after being a prisoner in the County Jail for five weeks and four days.
Released at 5 p. m.
Arrived at Hotel Terminus at 5:30.
Dined with Mrs. Clancy McCurdy-Collins and Mrs. McCurdy at 6:30.
Spent the evening talking with the woman he calls his wife.
Retired at 9:30.
Arose at 7 a. m.
Breakfasted at 8.
From 9 to 12 he read law books and talked with Mrs. McCurdy-Collins.
Lunched at 1 o'clock.
Read and talked in his room until 3:45.
Interviewed at 3:45.
Read until 5:30.
Went to walk at 5:45.
Arrested at 6:05.

"I'll go with you. May I detain you long enough to go to my room?" His request was granted, and in five minutes, still suave and smiling, he was on his way to the jail.

Mrs. McCurdy-Collins, however, did not hear his arrest so faintly. When Collins notified her that the officers were below stairs waiting to take him to jail again, she inquired after him.

"Good God," she sobbed, throwing herself on his neck, "they want to kill you and me, too. Are we never to be free from the law again? Is this in some way the end of time?" Her mother and Collins attempted to quiet her, but when he left the hotel between the two officers she was sobbing to break her heart.

WILL ASK RELEASE AGAIN.

In the jail, Collins appeared to be thoughtful, rather than worried.

"I do not think," said he, "that the points made by Mr. Cook have great legal merit, and it is my opinion that he has taken this action without fully intelligently the case. I regret that Judge Graham failed to give me an opportunity to present my side of this matter before issuing the warrant for my arrest. I shall take action for my release tomorrow."

What this action will be, Collins declined to say.

Seen in the afternoon, Collins said:

"My release was granted under the provisions of Section 1476 of the Penal Code. Cook seeks my arrest under the provisions of Section 1474, a section which, I assert, has nothing to do with this matter. I protest that in cases of appeal, when bail is a matter of the court's discretion, the District Attorney must be notified. My application I have not been granted bail on my appeal, but no application for a writ of habeas corpus."

"Collins," said Cook before Collins' arrest, "is decidedly in error when he declares that Section 1474 of the Penal Code does not apply to this case. The fact is that he was released on bail, at the discretion of the judge, after his conviction. I am confident that his bond is worthless, and that if he escaped the State could not collect from his bondsmen. I have notified Daniel Dinan that, in my opinion, Collins is an escapee."

MUST STAND TRIAL FOR FRAUD

Apr 8-1906
Americans Accused of Forging
Mining Shares Refused
Bail in London.

LONDON, April 7.—The magistrate presiding at the Goldsmith Police Court today refused to discharge the bail of Franklin Pierhart and Harry Samuel Simmons, Americans, who were arrested in London March 8, accused of having forged mining shares and certificates in connection with the Alaska, Oklahoma, Cripple Creek and Mammoth mining companies. When the defendants applied for a reduction the police informed the magistrate that they had heard from the New York police today to the effect that both prisoners were wanted in New York for forgery and that Simmons was wanted in Chicago, from where he had fled with out on bail.

case. I do not believe that it is a San Quentin case, and I believe that under all of the circumstances a year is too long, but that is the minimum sentence of the law."

The defendant was then sentenced to serve one year in San Quentin. An appeal was immediately filed. A certificate of probable cause was signed, and W. B. Bradbury was released on \$10,000 bonds pending his appeal to the District Court of Appeals. To-night he declared that he believed he was unjustly convicted and says that he will fight the case to the highest court he can reach.

"Don't block a man when he is down," give him a fighting show," he pleaded on he closed the interview.

POLICE DISPERSE CROWD AND MANY GO TO PRISON

This is a snapshot of the scene at Lotta's fountain just before the police started to disperse the gathering, which action precipitated the riotous conduct. The policeman is Jack Stelzner, who was hit on the head with a brick. The other picture is that of William Meyer, accused of having thrown stones at the policeman.

POLICEMAN JACK STELZNER

April 9 - 1906 - Examiner



WILLIAM MEYER

Action of Bluecoats Angers Many at Lotta's Fountain, and Many Men Are Taken Away in Patrol Wagon.

When the meeting yesterday to protest against the kidnapping of Meyer, Haywood and Pettibone in Colorado and Idaho attracted a large body of men and women gathered from Woodward's Pavilion down Valencia and Market streets in procession and assembled at the Lotta fountain, where they listened to speeches of George Holmes, George Speed and others. A big red banner inscribed "Workmen of America" was displayed from the fountain. A crowd of perhaps 1000 people gathered about the fountain, blocking the street and sidewalks. Some disturbances due to differences of opinion started among the crowd. Policeman Stelzner, who was on the beat in front of the fountain, and the Central station for assistance, and he detained Policeman Stelzner's ship Cavanaugh in controlling the crowd.

Detective Tom Ryan, joined the next day, checked that the disturbance was due to the speeches being made from the fountain and that they would arrest the speakers for causing obstruction to traffic. They pulled George Holmes off the fountain and started with him for the City Prison. The crowd, following him, tried to come loose from the police, breaking the windows of a passing street car. At First and Kearny streets the crowd attempted to rescue the prisoner, but the policeman driving their clubs dispersed the mob. Policeman Stelzner was hit on the jaw with a brick. Then a patrol wagon, driven by Charles Nathan and carrying reinforcements, arrived on the scene. Moving through the crowd the wagon struck and knocked down William Meyer, a 40-year-old man, but he was saved from injury by the district of the driver. There were now some twenty-five policemen on the spot and they began arresting the leaders of the disturbance. William Meyer, who threw the brick at Policeman Stelzner, was charged with disturbing the peace. Meyer's district committing the assault and was being merely an onlooker.

Detective Ryan was struck on the back of the head with a brick. Then Holmes was arrested for the assault at the City Prison. He denied that he had thrown the brick. He was later released on \$1000 bail set by Judge Chabon.

Policeman James Steele was struck on the back with a brick as he was stepping out of the patrol wagon. Randolph Valgel was arrested and charged with the assault. Ten or other persons were arrested for disturbing the peace. Some of them were carried away.

In the forenoon George Holmes, whose speech was interrupted by the police, said: "I simply stopped at Market and Kearny streets in front of the Lotta fountain, for a little of our meeting. There was no disturbance. We had a right to speak our minds. This is a free country. The police were meddling in taking the courts. They did it then and now, the police are responsible for it."

More than a score of friends and sympathizers of the men under arrest, called at the City Prison to bail their comrades out. Assistant District Attorney H. R. M. Kirby led the bail to the disturbance cases at \$100 each. This amount was objected to as exorbitant. George Williams, organizer for the Socialist party, residing at 1015 Mission street, protested at what he termed an injustice, and demanded to know the name of the judge who fixed the bail at \$100.

All but two of those charged with disturbing the peace were at 9:30 o'clock last night admitted to bail in the sum of \$100 each. Chief of Police J. F. Hagan advised the decrease to the amount of the bail on condition that the men would not create any further disturbance. Charles Kelly and William Connolly were held without bail, under suspicion of having used deadly weapons in the riot.

Following are the names of those arrested for disturbing the peace: Robert Miller, teamster; Alfred Hiebloer, laborer; Clyde Pender, laborer; John Klinghamer, laborer; Charles Kelly, metal worker; William Connolly, cement worker; Alfred Kraschek, laborer; John Kearney, teller, residing at 1015 Kearny street; Harry La Kelly, a student at the University of California, residing at 1015 Kearny street; The man Wardlow, aged 35, residing with his sister, Mrs. Margaret Ward, at 1444 Commercial street; W. McDevitt, editor of the "Socialist Voice," Oakland; and Andrew H. Bremer, John H. Hagan, was arrested for obstructing the sidewalk. He was released on \$100 bail.

DELMAS DENOUNCED BY ATTORNEY HOEFLER

Apr 13 - 1906
Accuses Him of Breach of Trust
Twenty Years Ago When Representing Man Over Whose Money They Are Fighting.

What promises to be a bitterly fought battle, began yesterday in Judge Keellenger's department of the Superior Court, when Attorney L. M. Hoefer made the opening statement in the J. Alexander Yoell will case. From a contest for the \$50,000, or whatever sum left by the deceased, the matter has developed into a personal fight between Hoefer and L. M. Helme, counsel for the propoents.

We will show that Helme was denounced and his character impugned for twenty years by Yoell, but that later a reconciliation was effected," declared Hoefer in his opening address.

"We will also show," continued the attorney, "that John Alexander Yoell brought suit against L. M. Helme for money which he had collected and withheld.

"We will further state that Evelyn Levy kept her father from seeing his other children and poisoned his mind against them."

When court convened after the noon recess Helme addressed the jury and declared the accusations made against him false. He said that Hoefer knew the statements were false when he made them and that they had no foundation in fact.

Turning to Hoefer he said:

"You said that suit had been filed against me?"

"That was my statement," replied Hoefer.

"Have you the documents pertaining to the matter?"

"I have and will produce them at the proper time," was the reply.

"Now that you make that statement I can say what you have said is false and you know it was false when you said it," thundered Helme.

"Yoell never brought a suit against me to recover money that I had collected. In 1813 he collected \$5,000 for me and demanded \$5,000 as his commission. I refused to pay this exorbitant amount and in a moment of anger he tried to get his property from him and who caused him to die. If she really did not conclude toward that end."

The case was put over till Monday morning at 10 o'clock.

DELMAS DENOUNCES HOEFLER AGAIN AS LIAR

Apr 17 - 1906
Attorney in Yoell Will Contest
Scouts Charge That He Was
Sued for Money Unaccounted
for and Demands the Record.

The late Hoefer with anger at the charges that have been made against him, his tone indicated with intense feeling, Attorney L. M. Delmas, counsel for the propoents in the J. Alexander Yoell will contest, stated yesterday in Judge Keellenger's department of the Superior Court, and once more denounced the late Hoefer, and once more demanded the record for the contestants.

During the opening argument in the contest last Thursday Attorney Hoefer charged that he would prove that once again J. Alexander Yoell brought suit in San Jose to recover a sum of money which Attorney Helme had collected for him but had never turned over.

"I refuse, your Honor," said Attorney Delmas yesterday, "that the allegation look the person against whom it was inscribed somewhat by surprise. It has doubtless been reiterated in many papers of the State, for the Herald, I think, does not spread its peccolateral wings more rapidly over the lead than does a slander."

WANTS RECORD PRODUCED.

"It is a matter which concerns you, sir, or the representative of the justice of the people of this State. And therefore I call upon you an act of simple justice to a man who feels that he has been deeply wronged to demand the instant production of that record which, when produced, will prove to your Honor which of these two men who stand before you is so infamous, accursed and liar."

"And if you do not exercise your power, may I, as a matter of simple justice, ask that I be permitted to place in your clerk's hands, for your inspection and the inspection of these gentlemen of the press, the refutation of that charge, which proves to be matter of record to have been what I stamped it as being at the time, a wicked, infamous, malicious lie."

With this he dramatically threw what was supposed to be a certified copy of the action instituted against him on the clerk's desk. This copy substantiated his accusations.

REPLY TO DELMAS.

K. H. Johnson of San Jose, who is associated with L. M. Hoefer for the contest, replied to Delmas by saying that he and his companion did not intend to produce the record till the proper time, notwithstanding the protest of his opponent. He declared Hoefer's charge would be upheld in every particular. Judge Keellenger told that he could not stop the case to settle a point between the attorneys, and the incident for the time being closed.

The jury had an easy time yesterday. But one witness was examined—Gertrude Yoell, who identified as her father's handwriting the entries in several diaries of the deceased. There were then offered in evidence for the purpose of showing Yoell's incompetency, but Delmas strenuously objected and the contending lawyers took up the entire day arguing the point of law as to the admissibility of the books. The jury was retired during the argument.

162 COLLINS RELEASED ON BAIL BONDS OF \$25,000

Apr 8, 1906
Judge Graham Issues Writ of Habeas Corpus Returnable Next Saturday, and Judge M. rasky Approves Prisoner's Bond

Collins Was Also Before Judge De Haven and Judge Lawl Yesterday, but Action on the Cases Pending Was Postponed

Examined
"In again, out again, Birmingham," the thought remarked George D. Collins, who, sentence of fourteen years in State prison for perjury, who was last night freed from the Broadway County Jail by \$25,000 bonds to appear in Superior Judge Graham's court next Saturday. A writ of habeas corpus issued by Judge Graham yesterday. Superior Judge M. rasky approved the bonds of Sarah McArthur and Charles Collins, sureties. Three pieces of improved property were put up as security for Collins' release, listed as follows: Second Madison, Polk and Ross and Fremont and Second streets. Collins last night estimated the value of the securities at \$25,000. The certified attorney, to whom he immediately after his freedom, said:

"The State Superior Court also granted for a writ of habeas corpus the contention that my conviction and trial of perjury was illegal claim that the courts have no jurisdiction in the matter."

Collins had a hearing in two instances and incidentally was the of a sharp clash between Judge and District Attorney Langdon, and District Attorney Cook has been prosecuting officer assigned to Dunne's court, but Mr. Langdon took off to attend to some other matter. When Judge Dunne noticed the District Attorney present to attend to the case, he hastily dispensed with calling of his calendar. When he asked for an explanation later he was informed by Judge Dunne that he was dismissed for each court in have its prosecuting officer, and all were not made.

"I could not see," said Mr. Langdon, "that it made any particular difference what official attended when the case was called. That is a purely matter. I told Judge Dunne that a court was entitled to have that a representative of the people and the District Attorney's office should appear in court."

Collins was before Judge De Haven in the United States Court yesterday application for a writ of habeas corpus. He raised the ingenious point the charge of perjury on which he was tried must have been committed committed at all, before he was tried from British Columbia.

He claims that the charge upon his extradition was secured and which he was tried first was based swearing that he was not married to

Charlotte Newman Collins is an affidavit. The second charge was for swearing to the same allegations on the witness stand. Collins argues that these offenses are the same, although committed at different times. He contends that the State had no right to bring a new indictment for the same offense, although committed under different circumstances.

Mr. Cook filed a transcript of the record to refute this allegation that the second charge of perjury was the same as the first. Collins asked for time to ex-

amine the first charge of ground that it had not a sixty days from the date he jury on the first trial decided and the case set. The bigamy charge was a calendar.

to exhibit records. For the new a seriously exhausted individual was passing, proceeding probably an old to be found of the world. It is not known of Collins' fate in the future, except that he has to the average best and peace. S. J. Marlowe, federal marshal, is in the city, 1033 Market st.

TYPE S OUT OF CONTINENTAL LIFE

Designs Presidency and Thomas R. Cutler of Utah Succeeds Him.

CELESTIAL, April 7.—Hiram F. Cutler, president of the Life Insurance and Investment Company, resigned his position to the 11th was accepted at their meeting. Thomas R. Cutler, vice-president of the Utah Sugar Company, was elected to the vacancy. The board held its meeting during the day. Individually, the members pledged to silence, but a statement to the press announced that the business of the company would be conducted from the office of San Francisco. No action taken concerning the company's Western Agency Company, of the directors are anxious to be. Among those present at the meeting were R. T. McGilchrist, J. C. McNaughton and George E. Angell, and J. Woolcott of Los Angeles.

ABY HAS GROWN FAST.
The child, gaining many pounds daily, drew thousands of smiles and visits from the city every month. Will this year the child will be only three years old. The magazine, "The Western Friend," reports, San Francisco.

HE IS SUED BY BROTHER.
CELESTIAL, April 7.—Warner Scott, Walter Scott, who has been confined in California Hospital since the age of three, suffering from a wound, today entered another court against Walter Scott, Pearl and William Keyes damages, alleging conspiracy.

Something Very

Splendid Silk Petticoats at air

One of the best things our buyers only fault is that there are not more of them at

Real value is \$1.00. These petticoats are made of the best in yard quality. Perfectly finished and Colorings are all this season's most advantage of Chiffon Mure is that the light in weight, yet they will out. Sale Price, each.

A BLACK SILK

10-pieces One-yard Wide All-Silk Black of dependable quality.

at 75c

Instead of \$1.00. This price

Another Drawing Card will be 10 pieces Natural Color

at 50c

Certainly G

TWO EXTRA GOOD IN MUSLIN UNDERWEAR

The first lot are priced to sell at \$1.50 each of Attractive Petticoats; made of extra rows of tuckings and hemstitching; in openwork embroideries. Some are

Also to Sell at

A line of extra fine Cambric Petticoats, deep English eyelet embroidery. Value our largest Annual Sales of Underwear than the shore

Embroidered and Lace Trimmed

Waist Patterns

At a price which will surprise.

THE SOUTHERN CONTINENTAL LIFE

Designs Presidency and Thomas R. Cutler of Utah Succeeds Him.

[illegible]

ARY HAS GROWN FAST.
in bed, gaining many pounds daily, died Thursday night and visits him in every month. His last few days on trial for only 10 cents. The meeting, "Our Western Friend" met, San Francisco.

IS SUED BY BROTHER.
LES, April 1.—Warner Scott, Walter Scott, who has been in California Hospital since the 19th day, suffering from a wound, to-day entered suit in Superior Court against Walter Scott, Pearl and William Keyes, damages, alleging conspiracy

Splendid Silk Petticoats at all
One of the best things our buyers
only fault is that there are not more
morrow all

A BLACK SILK
10 pieces One-yard Wide All-Silk Black
dependable quality.

Another Drawing Card will be 10 pi
Natural Color at **50c**
Certainly C

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Also to Sell at
A line of extra fine Cambric Petticoats,
deep English eyelet embroidery. Val-
ued at our largest Annual Sales of Underwear
than the above.

Embroidered and Lace Trimmed Waist Patterns A

At a price which will surprise, unusually choice in design, the material is an excellent thermomul and they are effectively trimmed with Varnacutene in spring and summer and in winter.

\$1.25

four if there will be on hand by month to another.

A

11

11

§ 1

Big List of Holders Containing Names of
San Francisco's Lovers of
Music.

Withdrawal of Transfers

the degradation of traffic. Supervisor Callesbarre deplored Dutry's introduction of party politics, saying:

"If we were to follow Supervisor Callesbarre's advice, it might be a possibility that we would have a majority of Democrats here to contradict me and turn it over to the United Railroads and turn it over to the public. I think people don't want to do that. I think people don't want to go to a party properly that way. They want to go to a party that way they see it."

Callesbarre described himself as an ardent labor man, but not willing to accept the labor union to gain the good will of another labor man. He charged Dutry with endeavoring to further the personal ambition by placing

**TAKEN TO PRISON ON
45 YEARS' SENTENCE**

MARTINEZ, April 16.—John Zimmerman, 30, who, with John Collins, robbed Frank Rea and John Daly of \$10,000 in gold near San Diego a year ago and was subsequently convicted of highway robbery, was taken to San Quentin by Sheriff Veale. Zimmerman was sentenced to serve for

Bricklayer Shoots Himself When He Finds
Girl He Loved Married Another.

LOS ANGELES. April 15.—Love for a woman whom he expected to marry, a man who jilted him in his absence, caused Otto Preminger, a bricklayer, to shoot himself through the heart three last night. The news came to Los Angeles that Preminger, 34, 1441 E. 14th, the girl who had expected to marry him, had been shot dead, and Preminger had been shot dead.

MRS. BABEL M. HOLBROOK

SPRINGFIELD (Mo.), April 16.—(AP)—A mob of about 100 persons, many of them armed with guns, gathered in the streets of this city on Monday night to lynch a Negro man, Ralph Burns, a member of the local chapter of the Ku Klux Klan. Burns, who was arrested on the charge of having shot and killed a white woman, was taken to a public square where he was surrounded by a mob of two who were beating him with clubs and stones. Burns was then taken to a public square where he was surrounded by a mob of two who were beating him with clubs and stones. Burns was then taken to a public square where he was surrounded by a mob of two who were beating him with clubs and stones.

MRS. EUGENIE M. SABL

WILLEMSTADT (Holland of Curacao), April 15.—A great sensation has been caused here by the announcement of the engagement of passage for Europe by all Curacao's favorite, known as the "first-class quick crowd," in fact, there is a general flight of all the friends of the former administration. It is rumored (Castro may deny it) that he is going to New York and by boat (Spainish) to the United States.

Work Is to Begin Immediately
After the \$75,000 Bond
Is Filed.

of a report from the Committee on Public Buildings recommending the acceptance of the bid of the contractor, Messrs. C. C. Jones & Co., at \$75,000 for the building a bond in the sum of \$75,000 for the faithful performance of their obligations, and upon the approval of the bond by the Mayor they will be permitted to proceed with the work. A resolution in conformity with the report of the committee was adopted by a unanimous vote.

Returns From Easter Savings Plan
Well and Profitable

REDDING, April
Home near 150 years
Easter services in
a Happy Valley of
horses. Wood Int.

SENTENCED TO FOUR YEARS

Leon, the diamond thief, widely known to be the palmer of the county as "Kid Ely," who was arrested in this city several weeks ago, while in the act of executing a diamond stud.

UP TO \$25.00, AND THE **\$12.95**
PRICE NOW IS.....

Here's a Sailor Suit in all the newest coloring in ages 2½ to 10 years. Values \$6.00 to \$8.50. You may have the suit as pictured also in two other styles. IT'S BUYING TIME NOW THE "SO-DIFFERENT OPENING" PRICE IS **\$2.45**



\$12.95

Is Kragen's price for a Suit as pictured, which is the long, straight cut single breasted Sack, which has been decreed by Fashion to be the proper thing for now. Strictly hand-tailored throughout, one of those swell-fitting Suits that stamps the the man of fashion. Pure ALL-WOOL, every bit of it—Gun Metals, Grays, Blacks, Blues or fancies to suit the particular one to — *Serges, Worstds.* **PAY KRAGEN'S** FOR SUITS WORTH **\$12.95** AND THE **\$12.95**



5

[illegible]

SOCIETY TURNS OUT EN MASSE TO WELCOME SINGERS

LENTEN CALM MARKS OPENING NIGHT AT OPERA

Gorgeous Costumes Well Worn
by Society Belles and Matrons
and Set Off With Costly
Jewels Make Scene
a Brilliant One.

By LILLIAN FERGUSON

Viewed from the fifth up, the house last night might have been a barren Easter-bun-day congregation.

Leaves calm characterized the deportment of the audience, becoming was the keynote. Politely and respectfully, San Francisco met through the first of the new season's presentation of grand opera. It was an audience whose spirits were still under the accelerated subjection of acclimatization and asthma.

Not from the cold dead was there the usual display of absence in frank variety. The pronounced curage was the exception to a high-necked rule. The seven-dollar note and the fifty-dollar note kept more closely to operative custom, but that knee without saying, for the higher the price the lower the neck, as a rule.

Like the fashionable majority, the musical minority in the upper regions was not predilect with its applause.

Many beautiful gowns were worn, but merely many failed to achieve the mass of moister color that is necessary to protect the picture with the world's admiration. The robes that of the first night, with their quiet appeal, their illumination of having been a fashionable hue. The present was a Sunday school plain, modest, not modish, and it drank in the melody as though it were pink benediction of pale blue, instead of the wine of costly red for which the opera-going world out this way has been thrashing a whole year.

In the foyer two jawed between acts and recovered in the hubbub tones of mourning at a funeral, then wandered toward the back to tessellate the scene with their glittering coats and soft faces. Behind the spectators of their own joy and sorrow—opera in its proper perspective.

Sumptuous settings, excellent eluding and the orchestra, which did not evoke a thrill in the foyer, but a gasp for everything that was in a reason for first night's calm. It was the prelude to the storm that awaits the opera and the orchestra to-night.

TWO MOST STRIKING COSTUMES NOTICED AT OPERA LAST NIGHT BEAUTIFUL GOWN OF IRISH POINT

Mrs. Charles Mortimer Bishaw of Contra Costa county, wore a creation of striking beauty that caused a great deal of open admiration. It consisted of a Princess gown of Irish point lace, with flounces of blue tulle. Her coat was of old duchess lace. Some of the jewels worn by Mrs. Bishaw were of exceeding beauty and brilliancy.

BRIGHT COSTUME OF LACE AND JET

Mrs. Harry Holbrook was radiant in her blonde beauty, emphasized as it was by her costume of black and the iridescent splendor of many diamonds. Her gown was of black lace, trimmed with cut jet, and its perfection of make the object of feminine remark and regard. She wore a costly tiara and her other ornaments included a necklace and rings.

A SCENE IN ONE OF THE BOXES AT THE GRAND OPERA HOUSE LAST NIGHT WHEN THE STAR SANG CARL GOLDMARK'S FOUR-ACT OPERA, "THE QUEEN OF SHEBA." PHOTOGRAPHS OF EDITH WALKER IN THE LITTLE ROLE AND BELLE ALLEN AS ASTOROPH APPEAR ON EITHER SIDE OF THE DRAWING, WHILE BENEATH IT ARE PICTURES OF SOME OF SAN FRANCISCO'S LEADING SOCIETY WOMEN.



DUFFEY GRILLS BOARD FOR KILLING THREE- CENT FARE

(Continued from Page One)

A City Attorney who has several able assistants. All of these have passed upon this ordinance, and all have declared it to be perfectly legal and valid. But in this report all that is passed over, while the committee takes the trouble to cite the various attorneys' briefs.

In the most of its arduous labor, and in its most important and far-reaching decisions, does this report carry out those promises? It does not, and I call upon you to turn it over to the people.



MOYER AND HAYWOOD VIRTUALLY KIDNAPED

Attorney Richardson of Denver Pleads Before U. S. Court in
Behalf of Imprisoned Men.

WASHINGTON, April 16.—The supreme Court of the United States to-day Attorney Edmund F. Richardson of Denver moved a motion to advance the hearing in the case of Charles H. Moyer, William D. Haywood and George A. Pettibone, in custody in Idaho on the charge of assassinating former Governor Steienschlager of that State. He informed the court that the most favorable view of the case is that the men were innocent of the crime and that the State with the Governor of Idaho. The court took the motion under advisement.

SANTA CRUZ UNION MEN SUBSCRIBE FUNDS FOR MOYER

SANTA CRUZ, April 16.—As a result of the indignation meeting held at Casino Hall on Sunday, at which N. L. Grier, former editor of the "Crisis" and "Journal," gave a graphic account of the labor troubles of Colorado which was ultimately responsible for the alleged kidnapping of Moyer, Haywood and Pettibone by the Mine Owners' Association, has caused the union men of Santa Cruz to make a substantial contribution to the cause, and also adopt a set of resolutions condemning those guilty of the outrages perpetrated on the organization known as the Western Federation of Miners. The resolutions contain the following paragraph:

"Resolved, That we tender a vote of thanks to the labor press and the Hearst papers for their fair presentation to the public of the facts in connection with the indictment of Moyer, Haywood and Pettibone and St. John.

SUPERVISORS AND SHERIFFS CAREO FOR AT SAN JOSE

State Conventions of the City and County Officials Being Held.

SAN JOSE, April 16.—The conventions of the Supervisors of California and of the Sheriffs of the State opened to-day. Although not allied, the two bodies usually meet at the same place and time for convenience sake.

Superior A. I. Hubbard of Santa Clara was elected chairman of the twelfth annual convention of Supervisors this morning. Henry A. Platter was made secretary. The convention then adjourned for a trip to Alum Rock Park. At this evening's session the feature was a discussion of bribery by the delegates. St. W. Carey, D. G. Collins, J. J. Gallagher and T. V. Lawrence were the principal speakers.

The proposition of amendments for

RAGING FLAMES STILL SPREAD; ALL SAN FRANCISCO SEEMS DOOMED Great City Is Laid Waste by one of Worst Conflagrations in the History of Country Spectators Appalled by Scenes of Terror Now Being Enacted in the Metropolis of the West

SAN FRANCISCO, April 19.--"No more dynamite!" "No more dynamite!" a fireman ran shrieking up Ellis street, past the doomed Flood building, this morning, and as he ran tears sprang from his smoke-smirched eyes. "No more dynamite--oh, God!" moaned the crowd that stood listlessly in the glare of the approaching flames. No more dynamite and we are lost.

So, at 2 o'clock this morning, with the explosive gone and with even the sewers pumped dry, the stunned firefighters and the stupefied people sat still to watch the remnant of their city burn. It is burning now unchecked. Until the waters of the bay are reached on the one hand and the barren hills back of the park give no more fuel to the ravenous flames San Francisco will burn--burn miserably.

There is no help. Water gone, powder gone, hope even now a fiction--the fair city on the hills is doomed to be blotted from the sight of man. The stricken people who wander through the streets in a pathetic helplessness and sit upon their scattered belongings in the middle of cooling ruins seem not to know that they are no more to see the city that was.

There is no longer a downtown. It is a city that has been attracted to the suburbs and is now spreading out on the edge and north by broadways and Washington streets. And a business district. There are no longer any exchange, finance, insurance offices, headquarters of big corporations—all that once represented the financial heart of the city and its industrial strength.

the subject street from the ferry building to Valencia street and nothing but the thick fingers of jagged trees pointing to the smoke-blackened sky to indicate a few overcast. What was there to be seen? California, Fresno, and Monterey were not to direct you out of the labyrinth of *calles*, blacked with thick brown dust. Fresno square is a common ground, offering the view of all above the ruin, like some person sitting and with all its windows dead, staring eyes that look upon nothing but a wilderness. The proud thing of the building is a hollow shell. The St. Francis hotel, one time place of luxury, is thought that a box of scraps and

At the narrow leap on exultantly, they dance, they pour in torchbearers, they pour champagne like a red waterfall falling in profusion. Now

...of the boys took these actions as a serious matter, and they went and told their father about it. He was angry enough to the end of the city, and he took this terrible decision that was the western zone of the country and in parts of the country the first had been abolished, he had to come out the lacking of the town as if the real title, checked the Golden Gate avenue and Park Avenue and stayed around by Park Avenue and was ready to examine the Western Addition in a new

At eight o'clock last night the fire was supposed to have eaten itself out of the whole lot. Altho' the ladies Sam-
uel and the main body of the
men were confined to the district
of the Market street, where the oil
burner Jack gave fodder into
the mouth of the fire, yet and
also as if by peremptory directions
they would from time to time pass
by the street of Noll Hill and were
succeeded by a phleg tongue of flames
out of the very heart of the ruin,
a 20 or 30 ft. Monticeny etc of
been joined and the Grand Stair-
case of the building on a railroad
of a column and like the tower

age of humanity, watching on the
side of the California street hill there
being the noise of a sudden exciting
be at the top, a rough not a grown
sharp enough beating in a storm
respect are to the immensity of the
the clock and the great clockwork
thing shot upwards and the differ
ence of fire to the high is ex-
posed.

the fact that the Government had been unable to obtain the necessary funds to carry out its policy. The Government had been unable to obtain the necessary funds to carry out its policy. The Government had been unable to obtain the necessary funds to carry out its policy.

The river's present stream advanced to the southerly end of the West addition up to Oak and Park streets, along Oak-street, where one John C. Smith, put in a single stream of water upon the burning mill, but its efforts were like the stabilizing of a chimney at a storm. At these efforts like this morning the fire had to be crossed to the west side of a water via street and rejoining of a water stream was supplementing the meagre supply of water.

All the district bounded by Octavia, Ash-street, a late avenue, and Market street was a threatened ruin. One thought this way through the fatal fire, walking on Van Ness Avenue as he would cross an artificial island. It was an island

From the midst of this room the great square wall of St. Gertrude's collapsed, surrounding the ancient ruined Acropolis in dead Athens.

Behind the actual spectacle of what had once been the city Hall a big band of flames swept back into the gap between Turk and Marshal streets, a select of its heavy steam-fuelers like a young lion that is stridden of its swiftness, the flame of the city Hall exemplified, against the resounding background of ruins. And from its summit looked down the Goddess of Justice who had held her ponderous scales while tone of mystery below her feet had been torqued to the earth in her blue like the star of a freight car.

through the golden iron gates and the blue sky above the red gate softening the color of the northern sky painted like the color of blood in a giant head to the sun.

An accident at the Milwaukee House was deemed for from the frame buildings as a result of it there was being swept a combustible material in to solid studies in a dream was in flight. Across the street from this and gently in the road had of the once glorious marble was now periodically gutted. Turk started in the northern boundary of this Year of the Great Wall, but in a black this street was also crossed and the triumphant march onward

At midnight a fire which had started in a room on the second floor of a small hotel on O'Connell street had spread to a warehouse on the same street and, carrying away through to Marlborough street, had consumed a large building. The fire was extinguished by the fire engine which arrived at the scene at 11.30 p.m. The fire was caused by a gas lamp which had been left burning in a room which was used as a storeroom. The fire had spread to the warehouse which was used for the storage of coal and other materials. The fire had caused a loss of about £10,000. The fire was caused by a gas lamp which had been left burning in a room which was used as a storeroom. The fire had spread to the warehouse which was used for the storage of coal and other materials. The fire had caused a loss of about £10,000.

[illegible]

VIEW OF EMPIRE THEATER IN OAKLAND, WHERE SEVERAL ACTORS WERE KILLED

[illegible]

"My God! Let me get out of this," said a man below who had watched the massive shape of the huge pile rise defiant before the flames. "I can't stand to see that go, too."

Shortly after midnight the street without Union Square began to be stirred and filled by the red girdles of the fire department. The first to appear were the "ladder company," followed by the "hook company," then the engine. Next came the pumper, and finally the chief of the city of Paris, on the corner of Gaury and Stockton streets. Firefighters watched for the first appearance of the great dry roads, stone bridges, and through cracks made by the earthquake in the surface. Then the clouds came down.

From the caprice *mirareis* on the H-

THIS
WEEK

This image shows a blank, aged, cream-colored page, likely an endpaper or flyleaf of a book. The paper has a slightly textured appearance with some minor discoloration and dark smudges or stains, particularly along the right edge and bottom. The left edge of the page shows the binding structure of the book, including the inner hinge and some of the adjacent page. There is no text or other markings on the page.

to shoot forth. They came suddenly larger, and in the next moment in instantly there above them the three great bulks of metal shooting on the descent that blizzards like a night into a blast furnace. With a roar the shells exploded almost simultaneously and the sparks shot up to mingle with the daffled stars overhead. The Indian League and Pacific Union clubs next shown red with the fire that was eating them.

On three sides, flung with shrapnel and shot, the men were hurled in all directions. The blaze men fought in the light of the inferno and scrambled with other well-injured in their breast and in the light in their eyes.

Dozens of someone had been smashed to kill their brains with hemorrhage even in the rafters from shrapnel burst heads. A faithful followed. Men fought and crawled in the darkness until the darkness was

By means of the Dervy's remarkable gift of vision, the Dervy, in the middle of Union Square, New York, stood on the apex of the column glowing red with the red dimer. It was as if the Goddess of Earth had suddenly become apostate and a fiend linked in sympathy with the devil of the blaze.

Even as the square was glowing like the seventh circle of Dante's dream-plot, there crept from a main house, only a half a block up Post street, a fatality. He crawled down the steps with two sacks and balanced them unsteadily before his door-step. "This is my voice," he said in a dead, cold voice, "I walked until the fire came before I left it." Then he turned to go back and a laborer

by the steady blow of knives, scorable half on earth, prevailed.

Against these Roman wolves a company of regular soldiers from Presidio were pushed at top and they had to make a wide detour of fire-eaten district, and by the time they arrived on the scene, the wolves were themselves laying down a rindling with untraced.

A pitched battle between the Roman and the liquid-soldier brought two, threatening their own lives in those of the fangs who had gone down into the terrible half of them followed the regulars used but, beyond a half and are reported to have killed

While the firebrand was falling the heart from the ruins of the north bridge of Market street there, was in the darkness, far south of that street, a crowd of young men, holding in anarchy, a sword off the face of the moon. Where over a half dozen of the crowd, being wounded a score with bayonet-pierced and the mauling blows of their muskets. Order was at last restored.

The first recording of the Great shock took place on the 15th of November, 1904, at 11.15 a. m. The earthquake, however, commenced at the beginning of the afternoon, and continued with the greatest severity until 11.15 a. m. The following is a preliminary report, of which The accompanying report is an account of the production by Mr. A. J. Chamberlain, of the first three shocks which multiplied during the afternoon of the 15th of November. The first shock of the heavy series was followed by a second shock of the same duration which stopped at 6 hours, 12 minutes, 38 seconds. Pacific standard time, while waves were above water level, were 10.30 a. m. The third shock was at 11.15 a. m. The fourth shock was at 11.15 a. m. The fifth shock was at 11.15 a. m. The sixth shock was at 11.15 a. m. The seventh shock was at 11.15 a. m. The eighth shock was at 11.15 a. m. The ninth shock was at 11.15 a. m. The tenth shock was at 11.15 a. m. The eleventh shock was at 11.15 a. m. The twelfth shock was at 11.15 a. m. The thirteenth shock was at 11.15 a. m. The fourteenth shock was at 11.15 a. m. The fifteenth shock was at 11.15 a. m. The sixteenth shock was at 11.15 a. m. The seventeenth shock was at 11.15 a. m. The eighteenth shock was at 11.15 a. m. The nineteenth shock was at 11.15 a. m. The twentieth shock was at 11.15 a. m. The twenty-first shock was at 11.15 a. m. The twenty-second shock was at 11.15 a. m. The twenty-third shock was at 11.15 a. m. The twenty-fourth shock was at 11.15 a. m. The twenty-fifth shock was at 11.15 a. m. The twenty-sixth shock was at 11.15 a. m. The twenty-seventh shock was at 11.15 a. m. The twenty-eighth shock was at 11.15 a. m. The twenty-ninth shock was at 11.15 a. m. The thirtieth shock was at 11.15 a. m. The thirty-first shock was at 11.15 a. m. The thirty-second shock was at 11.15 a. m. The thirty-third shock was at 11.15 a. m. The thirty-fourth shock was at 11.15 a. m. The thirty-fifth shock was at 11.15 a. m. The thirty-sixth shock was at 11.15 a. m. The thirty-seventh shock was at 11.15 a. m. The thirty-eighth shock was at 11.15 a. m. The thirty-ninth shock was at 11.15 a. m. The fortieth shock was at 11.15 a. m. The forty-first shock was at 11.15 a. m. The forty-second shock was at 11.15 a. m. The forty-third shock was at 11.15 a. m. The forty-fourth shock was at 11.15 a. m. The forty-fifth shock was at 11.15 a. m. The forty-sixth shock was at 11.15 a. m. The forty-seventh shock was at 11.15 a. m. The forty-eighth shock was at 11.15 a. m. The forty-ninth shock was at 11.15 a. m. The fiftieth shock was at 11.15 a. m. The fifty-first shock was at 11.15 a. m. The fifty-second shock was at 11.15 a. m. The fifty-third shock was at 11.15 a. m. The fifty-fourth shock was at 11.15 a. m. The fifty-fifth shock was at 11.15 a. m. The fifty-sixth shock was at 11.15 a. m. The fifty-seventh shock was at 11.15 a. m. The fifty-eighth shock was at 11.15 a. m. The fifty-ninth shock was at 11.15 a. m. The sixtieth shock was at 11.15 a. m. The sixty-first shock was at 11.15 a. m. The sixty-second shock was at 11.15 a. m. The sixty-third shock was at 11.15 a. m. The sixty-fourth shock was at 11.15 a. m. The sixty-fifth shock was at 11.15 a. m. The sixty-sixth shock was at 11.15 a. m. The sixty-seventh shock was at 11.15 a. m. The sixty-eighth shock was at 11.15 a. m. The sixty-ninth shock was at 11.15 a. m. The seventieth shock was at 11.15 a. m. The seventy-first shock was at 11.15 a. m. The seventy-second shock was at 11.15 a. m. The seventy-third shock was at 11.15 a. m. The seventy-fourth shock was at 11.15 a. m. The seventy-fifth shock was at 11.15 a. m. The seventy-sixth shock was at 11.15 a. m. The seventy-seventh shock was at 11.15 a. m. The seventy-eighth shock was at 11.15 a. m. The seventy-ninth shock was at 11.15 a. m. The eightieth shock was at 11.15 a. m. The eighty-first shock was at 11.15 a. m. The eighty-second shock was at 11.15 a. m. The eighty-third shock was at 11.15 a. m. The eighty-fourth shock was at 11.15 a. m. The eighty-fifth shock was at 11.15 a. m. The eighty-sixth shock was at 11.15 a. m. The eighty-seventh shock was at 11.15 a. m. The eighty-eighth shock was at 11.15 a. m. The eighty-ninth shock was at 11.15 a. m. The ninetieth shock was at 11.15 a. m. The ninety-first shock was at 11.15 a. m. The ninety-second shock was at 11.15 a. m. The ninety-third shock was at 11.15 a. m. The ninety-fourth shock was at 11.15 a. m. The ninety-fifth shock was at 11.15 a. m. The ninety-sixth shock was at 11.15 a. m. The ninety-seventh shock was at 11.15 a. m. The ninety-eighth shock was at 11.15 a. m. The ninety-ninth shock was at 11.15 a. m. The hundredth shock was at 11.15 a. m.

The principal part of the earthquake came in two sections: the first series of vibrations lasting for about forty seconds. The vibrations diminished considerably during the following ten seconds, and then continued with renewed vigor for about twenty-five seconds more. But even at this writing (about 12 a.m.) the disturbance has not as yet subsided; an slight shocks are being recorded as frequent intervals on the Ewing seismograph, which has been restored to working order. The principal direction of motion was from S.E. to N.W.; the remarkable feature of this earthquake, aside from its intensity, was its rotary motion. As seen from the rotary motion of the eastern side of the city, on the inland between Montgomery street and the bay. On the solid land no serious damage was done to any well-erected houses. The Custom House badly damaged. It was poorly situated. As in 1843, a small crevice was opened on Howard street, just S. of State. The greatest damage was in a belt several hundred feet wide running northwest and southeast, centering at the Custom House, ending at the Polson-street wharf, all chimney of the United States A. S. S. was damaged. The ferry across the Cotta was near Angel Island when the shock struck strongly. Shocks were noted at 7:53, 8:10, 8:46, 9:02, 9:10, 10:30, 11:05, 11:46, 9:30.

[illegible]

lighted the ears of the cavalry, the crash of timbers and the infantry fire.

San Francisco, the night par excellence of San Francisco, is no more.

All the while that San Francisco is being consumed chaos almost approaching to anarchy prevails, despite the efforts of the police and military.

No one knows how many have died; no one knows who or how many have been injured. Hospitals are established and moved because of the value of the flames. Chemical-physics are no longer allied than they are employed because of danger even to the bodies of the dead.

There is at present no record of the

ent shock we were carrying noted Mr. Alcock's father in the Liek O secretary now at the University.

A graduate student in astronomy, who was taken by Dr. Newcomb and Dr. Barnard with the fewest astronomer-students have been notified by these officers as follows:

6 h. 12 m. - 6.58-10.4
6 h. 15 m. - 6.59-10.6
6 h. 18 m. - 6.57-10.4
6 h. 21 m. - 6.55-10.2
6 h. 24 m. - 6.53-10.2
6 h. 27 m. - 6.51-10.2
6 h. 30 m. - 6.49-10.2
6 h. 33 m. - 6.47-10.2
6 h. 36 m. - 6.45-10.2
6 h. 39 m. - 6.43-10.2
6 h. 42 m. - 6.41-10.2
6 h. 45 m. - 6.39-10.2
6 h. 48 m. - 6.37-10.2
6 h. 51 m. - 6.35-10.2
6 h. 54 m. - 6.33-10.2
6 h. 57 m. - 6.31-10.2
6 h. 60 m. - 6.29-10.2

that strokes recorded are usually from west. Observers throughout California are requested to send their records to the Student Observatory.

number of dead and wounded. There is no longer a Receiving Hospital, no longer a Hall of Justice, where police can file their reports. Some say that 600 are dead, others put the list at 800. All are dead, undoubtedly. The living can take no counting of the dead. And for the wounded even the most scant treatment must needs suffice.

A food supply needs must.

HERBERT, April 13.—A. J. Thompson of the nationalistic division

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Go up Market street from the ferry to the Alameda and you will find building in Valencia street and nothing but the black smoke of jacked furnaces going to the smoke stacks that is a real low overhead. Visit what was once "Valentino, Salvatore and Montemary agents and you must ask a burning question to direct you out of the labyrinth of streets, blackened walls and chimneys is not. Then you are in a skeleton street. The tall buildings stand proudly erect, sitting like whiffs of smoke the rain, like some Japanese thing and with all its own down dead, towering over that junk upon nothing but a sidewalk. The proud nothing building in a hollow shell. The St. Francis hotel, one time place of luxury is useless but a box of stone and

Yet the theme is kept on exuberantly. They dance, they roar in biochemical rages, they laugh exorcisms like a red devil all taking a precipice. Now he in dead Athens.

But behind the saintly Sultan a wild-eyed, red-headed, white-haired, and horned devil had been the city Hall a hundred of flame swept back into the road between Turk and Market streets. Picked off its heavy stone facing like a young buck that is stripped of its warpaints, the dome of the City Hall rose spectral against the nebulous background of smoke. And from its summit looked down the Goddard family, who had kept her pedestal even while tons of masonry below her face had been toppled to the earth in huge blobs the size of a freight car. Through the faint, from this and the

At eight o'clock last night the fire broke out in the wholesale district below Sanson street and the main body of the flames was confined to the district south of Market street, where the oil works, the furniture factories and the vast number of garages gave fuel to the burning of the Hotel Yale and- only so it by successive developments, a fire which from one wall swept over the crest of North Hill and was answered by jumping tongues of flames from out of the very heart of the town.

A 30-story Montgomery street had been jumped and the Great Chicago Exchange building on Callovish street flamed) out like the beacon torch of a falling star. From the dark fumes of humanity watching on the streets of the California district bill there came too noise of a sudden catching of the breath-and a sigh and a groan as a sharp flash betrayed a stream of sparks down to the flaming point.

Near Division and the Great Eastern building hot streaks of different colors of fire to the high level of the immediately above front of the city

where the two great sounding horns whose northern sky attained like the color of blood in a hand held to the sun.

At midnight the Alhambra Theatre was doomed for from the frame buildings west of it there was being swept a voracious maelstrom of sheet-flame that kept toward it in giant strides.

Not a person was in sight. Across the street new gray and white in the dead light of his own glorious mantle the new postoffice, gutted. Turk street, the northern boundary of this V-shaped zone of the flame, but at a stroke this street was also consumed and the triumphant march onward continued.

At midnight a fire which had started about a clock in front of Pike's music-hall on Oxford street had ignited its terrible way through to Market street, carrying away what the morning's haze across the street had left unobscuredly no increased into black and Turk streets the flames blazed and soon the magnificent hotel building was doomed.

The fireman was doing an heroic feat at

[illegible]

attempt to check the ravages of the advancing phalanx of flame, but their efforts were absolutely without avail. Except from across the street shot columns of flame which crinkled the windows in one of the third building's upper-story windows. Then a shower of sparks was sent drifting at a late car through which flattered out, in the instant, a chain of flame reptil. The flames, whipping out, a tongue of flame reptil up the length and into the window casing.

"My God! Let me get out of this," said a man below who had watched the massive door of the third story flying to shoot forth. They flew out, but barely, and as the door flew and it, intensely, there alone in the two great bulks of metal sheathing an iridescent that blazed like a night in a black furnace. With a roar the mirror exploded, almost simultaneously, and the sparks shot up to mingle with the dotted lines overhead. The Union League and Pulla Union clubs next stone fell with the fire that was gutting them.

On these sides, flung with sheets of flame, rose the Deering memorial in the midst of Union Square, Victory to the footings on the apex of the column

Against these human wolves two companies of regular soldiers from the Presidio were rushed at top speed. They had to make a wide detour of the fire-stricken district, and by the time they arrived on the scene drunken soldiers were themselves lying flat to the killing with nitro in bed.

A pitched battle between the regulars and the liquor-soaked brutes who were threatening their own lives and those of the troops who had gone down into the terrible hell of flame followed. The regulars used butt, bayonet and ball and are reported to have killed over a half-dozen of the fiends, besides wounding a score with bayonet-picks and the mauling blows of their gun-stocks. Order was at last restored.

Even while this was in progress the call of flame was heard up the hill from Kearney street, had reached Chinatown, a lake of lava in a place this famous nest of robbery and gambling den was swept out the face of the map. Where the "black snake" was wont to curl around an acrid yellow cloud. Where the sound of tinkling gold once de-

franked.

Chinatown, the slight port excellence of San Francisco, is no more. At the while that San Francisco is being consumed "thou almost approachest to anarchy presently, despite the efforts of the police and soldiers. No one knows how many have died; no one knows who or how many have been injured. Hospitals are established and moved because of the advance of the flames - Chinatown-players are no longer liked than they are emulated because of danger even to the bodies of the dead.

There is at present no reveal of the number of dead and wounded. There is no intent a Receiving Hospital, no longer a Hall of Justice where police can file their reports. Some say that 900 are dead, others put the list at 800. All is chaos, uncertainty. The living can take no counting of the dead. And for the wounded even the most acute treatment must needs suffice.

A food panic will seize the city to-day. There is nothing to eat. Drink, liquor, water is selling in some places at 10 cents a glass.

ACTORS WERE NEEDED.

In a dark factory-filled reel about 10 or 15 faces were fought in the light of the inferno and grappled with each other with murder in their hearts as well as in the light in their eyes.

Dozens of fatalities had been announced early in the evening, and the brutes that kill their brains with ignorance made good by the fire staff which flowed even in the gutters from glazed barned boards. A frightful cry followed. Men fought and cursed, babies were trampled like the crushing of a chip under, and blood was let by the bloody blow of knives. A terrible hell of earth prevailed for

lished the cause of the celebrities, than a catch of tubercles and the infancy disease.

The first two strokes presented are mostly from California and requested through the University's "Student Representative Board." The northern component of the shock was also of great intensity but of lower frequency; the maximum shock measured in a vertical direction being 8 g/sec/inch.

A. O. LENTZNER,
"Director Students' University"

HERRICKLEY, April 18.-A. J. Thompson, of the astronomical department of the University of California, located in Berkeley, has estimated that the fire now taking place in San Francisco can be seen for 300 miles out to sea.

"Taking the average wind and second, the velocity of the wind during the heavy floods in fact, is roughly two inches per second, by the greatest ever observed on the banks of the Mississippi. The heavy masses of water, which were observed to move as much as three inches. The time of the great floods were carefully noted by Mr. Alcock, follow in the Lock and canal, which is now at the University, a graduate student in engineering."

[illegible]

VIEW OF ORPHEUM THEATER IN OAKLAND WHERE SEVERAL ACTORS WERE KILLED

The assumed direction of motion, with its intensity of vibrations, out of action, but with the higher instrumental vibration, the following is a preliminary estimate of the accompanying report is an exact reproduction of the original record of the original displacement of the earth's crust, forty-three times. The local record of the beginning of the horizontal shock is furnished by the student clock of the student observatory, which stopped at 8 hours, 12 minutes, 34 seconds. Twelve standard times, while two severe shocks were recorded by S. Abstracted some thirty-five seconds earlier.

The principal part of the earthquake came in two sections: the first series of vibrations lasting for about forty seconds. The vibrations diminished considerably during the following ten seconds, and then continued with renewed vigor for about twenty-five seconds more. But even at this writing (about 12 a.m.), the disturbance has not as yet subsided, as slight shocks are being recorded at frequent intervals on the Dwingel seismograph, which has been returned to working order. The principal direction of motion was from S.E. to N.N.W.; the remarkable feature of this earthquake, aside from its intensity, was its rotary motion.

As seen from the print, the sum total of all displacements represents a very regular ellipse, and some of the lines representing the earth's motion

only represent the motion of the instrument. The following series of the motion of the instrument, as it was performed in San Francisco, is given for reference. It is Problem 2, "The will arrive at longitude 120° 18' 10", and in connection with that of the ship.

"The ship came at 7 p. 55 p.m. in direction was directly and southerly. Its duration was 42 seconds. The shock came at 8-22 a.m. lasting 6 seconds. Lighter and briefest tremors occurred at intervals of about half an hour, till 12 p.m. The first shock was final, severely felt on the northern side of the city, on the Madison street side. The motion was in the bay. On the solid land no further damage was done. To any well-constructed building. The Custom House was structurally damaged. It was poorly constructed. As in 1864, a small crevasse was opened on Howard street, beyond Sixth. The greatest damage was done in a belt several hundred feet wide, running north-west and south-east, commencing at the Custom House and extending at the Polson-street wharf. The tall chimney of the United States ship was damaged. The ferry steamer Costa was near Angel Island and felt the shock strongly. Shocks were noted at 7-53, 8-10, 8-15, 8-16, 9-2, 9-20, 10-10, 10-30, 11-05 a.m., and at 12-25, 2-25 p.m. Waves came fifteen, twenty feet further inland than in 1864. There were about thirty earthquakes

[Faint, illegible handwritten notes at the bottom of the page]

DEMIGLI SCIENTIST
DISCUSSES EARTHQUAKE

Extra THE OAKLAND HERALD 10 a.m.

FOURTH YEAR VOL. VII NO. 17

THE OAKLAND HERALD: THURSDAY APRIL 19, 1906.

PRICE FIVE CENTS.

RAGING FLAMES STILL SPREAD; ALL SAN FRANCISCO SEEMS DOOMED Great City Is Laid Waste by one of Worst Conflagrations in the History of Country Spectators Appalled by Scenes of Terror Now Being Enacted in the Metropolis of the West

SAN FRANCISCO, April 19.—"No more dynamite!" "No more dynamite!" a fireman ran shrieking up Ellis street, past the doomed Flood building, this morning, and as he ran tears sprang from his smoke-smirched eyes. "No more dynamite—oh, God!" moaned the crowd that stood listlessly in the glare of the approaching flames. No more dynamite and we are lost.

So, at 2 o'clock this morning, with the explosive gone and with even the sewers pumped dry, the stunned firefighters and the stupefied people sat still to watch the remnant of their city burn. It is burning now unchecked. Until the waters of the bay are reached on the one hand and the barren hills back of the park give no more fuel to the ravenous flames San Francisco will burn—burn miserably.

There is no help. Water gone, powder gone, hope even now a fiction—the fair city on the hills is doomed to be blotted from the sight of man. The stricken people who wander through the streets in a pathetic helplessness and sit upon their scattered belongings in the middle of cooling ruins seem not to know that they are no more to see the city that was.

THE OAKLAND HERALD: THE FRIDAY EVENING, APRIL 19, 1906

250 DEAD AT SAN JOSE; STANFORD IS IN RUINS

Dire Holocaust Sweeps Doomed San Francisco

MANY REFUGEES FLEE IN TERROR TO OAKLAND TO ESCAPE DEVASTATION WROUGHT BY SHOCK

Dead and Injured Are Reported Cremated in the Ruins of Mechanics Pavilion

SAN FRANCISCO IS BEING WIPED OUT BY FIERCE BLAZE

UNIVERSITY BUILDINGS ENTIRELY DESTROYED

HOMELESS SEEK SHELTER UNDER OAKLAND SKY



Oakland settled down last night, after a day of uneasiness and alarm, and with the greater number the belief was general that the worst had come, but the more timid feared that a warning result from any existence of riot or disorder, but is a preventive measure.

for a day of uneasiness and alarm, and soldiers is to be incurred only upon the presentation of a signed pass, upon the presence of a signed pass, upon the result from any existence of riot or disorder, but is a preventive measure.

3 a. m.—It seems to be the doom of San Francisco. The burned business buildings, hotels, tenements and homes are either in flames or already in ashes. And the fire is too big to be handled, too extensive to be got under control, especially with the lack of water, so that from present indications, it seems that the only thing that will check the conflagration will be a lack of buildings to burn. "It's got to go its course," San Franciscans say. "The city is in a panic for the most part. Probably no one slept in San Francisco tonight. Thousands gathered the few household goods they had saved and fled in terror. Thousands more fled without taking anything—glad enough to escape from the blazing, devouring hell, with their lives. The San Bruno road and the other avenues of egress to the southward are packed with pedestrians, pleading along, with no other shelter for the most part than to get away from the horror of the flames. The ferryboats and carried thousands before they resumed operation yesterday afternoon, tug-boats plied back and forth, carrying terrified people to the bay.

And the dead and wounded are in hundreds. Each hour brings in the tale of fresh casualties—people mangled by the earthquake of yesterday morning, people crushed in the streets by falling material and people burned to death before they could escape from the flames. Some still lie in the streets where they fell. Most of the population of the city is too long getting away to be scriptural about removing the dead. Those who are fighting manfully against the flames, and struggling with untiring devotion to save something out of the wreck, have no time. Those who are engaged in humanitarian work find their hands full attending to the wounded. Doctors and nurses by the score have proffered their services and all of them are needed.

Troops and police line the streets, forming a cordon about the danger zone. They are compelled to draw back continually and extend their lines as the fire spreads. Strict watch is being kept on the bank buildings and other places where treasure is stored, that still stand, to prevent looting. At an early hour in the day the fiendish ghosts that fasten on human misfortune appeared. They broke into stores and robbed them, the proprietors being either dead or absent. They circulated through the streets, picking the pockets of the panic-stricken crowds. Several were shot and killed by the soldiers, who gave no quarter when they discovered these wretches at work. The example was a sufficient one, for last night the lawlessness had subsided to some extent, although the panic was greater if anything. Early yesterday morning the city was declared to be under martial law, and General Funston took charge. He was assisted by the police, who did efficient work, but their task was a gigantic one.

The fire department also worked well, but they had no chance from the start. The fire broke out in a number of places at the same time, very shortly after the earthquake, and before anything could be done had spread over a vast area. And the there was no water with which to fight the fire. The jarring of the earth had burst the water mains and the firemen found themselves virtually without means of making a fight. The plan of dynamiting the buildings, to get them out of the way, before the flames reached them was resorted to and kept up throughout the day in order that gaps might be created that the flames might not leap. But in most instances the fire broke its way around. Chinatown was razed to the ground, that its flimsy and inflammable wooden huts might not be fuel for the flames.

Besides the ravages of the fire, the destruction wrought by the earthquake pales into insignificance. Put it was appalling, nevertheless, hundreds of lives being lost and incalculable damage being done to property. It is safe to say that not a building in San



THE MUSEUM AT STANFORD UNIVERSITY.



THE MEMORIAL ARCH AT STANFORD.

Francisco escaped injury of some sort, and many were totally wrecked.

The dome of the City Hall fell to the ground, and most of the rest of the structure was wrecked. St. Luke's Hospital was destroyed, as was the Columbia Theater. Before the fire swept them from the map buildings with twisted frameworks were to be seen on every hand. The streets were littered with broken glass, building material and debris of all sorts. The tenements south of Market street suffered severely from the earthquake, especially with reference to loss of life. Here the occupants were caught like rats and crushed and mangled by the falling bricks and timbers. The lodging houses and cheap hotels of the district fared badly. The wounded could be removed they also. In many cases, before the earthquake could be removed they were trampled alive by the flames that followed the tenting. Horrifying scenes were enacted and many heartrending ones. Many forgot those whom they should have saved and fled for safety, losing

TWO STUDENTS PERISH IN RUINS

STANFORD UNIVERSITY.

April 18.—The most beautiful buildings of the famous Stanford University tumbled to the ground, causing a loss of \$3,800,000 and bringing death to two persons.

is the result in Palo Alto, of the terrible earthquake this morning. The buildings destroyed are: Encina Hall, the college home of the boy students

The new gymnasium building, only recently completed and one of the finest structures of its kind in the world.

The famous Stanford Library building, recognized the world over as an architectural triumph. The Quadrangle, one of the most novel and beautiful of the college structures.

The Grand Arch at the entrance to the University grounds. Two persons were killed. They were:

J. R. HANNA, of Pennsylvania, a student. OTTO GRANT, of Palo Alto, a fireman.

The buildings collapsed when the first heavy shock occurred at 5:13 o'clock this morning. Hanna was sleeping in Encina Hall and was crushed to death beneath the falling debris. That the him-

Oakland settled down last night, after a day of uneasiness and alarm, and with the greater number the belief was general that the worst had come, but the more timid feared that a warning had but given, and took precautions which are not ordinarily deemed necessary to safety.

Artistically arranged boudoirs, and cozy couches, nesting in handsome mansions, were not exactly desired by all the residents of Oakland. There were many who gave up the comfort of their homes and sought a blanket and the front lawn.

Thousands of persons spent the night beneath a canopy of stars. They did not really expect another earthquake check, nor consider it probable that their houses would fall upon them, but they feared these possibilities might happen, and they were not willing to take chances.

Those who possessed tents hoisted them in the yards of their houses, and Oakland last night presented the appearance of a tented city.

On the City Hall plaza fully 500 refugees from San Francisco spent the night. They were wrapped in blankets, in quilts or overcoats—anything to keep them warm. The sleeping-out ordinance was forgotten by the police. In fact, the police aided in every way possible to provide suitable coverings for those forced to sleep beneath the open skies.

And while the thousands of Oakland slept, the streets of the city were patrolled by militiamen. Martial law existed between Seventh and Fourteenth streets and Franklin and City streets. At every corner a militiaman stood with his gun, bayonet attached, ready to challenge anyone who attempted to pass him.

No person was allowed to pass the military line unless he carried a pass signed by Chief of Police A. Wilson. These passes can be secured by calling at the Chief's office.

Chief Wilson spent the night at the police station. He was aided in his work by Captains Peterson and Lynch, company A and Company F, N.G.C. of Oakland were called out by Chief Wilson yesterday morning. Company G of Alameda was asked to assist in protecting the city yesterday afternoon and the members of the Alameda company went on duty last night.

Four military tents were pitched on the plot of bluegrass in front of the police station.

Chief of Police Wilson, when asked last night how long the order of martial law would continue, replied that he could not say anything definite at the present time. It will probably be several days before the services of the militiamen will be dispensed with. During that time all saloons are to be closed and entrance pass the cordons is to be secured only upon presentation of a signed pass.

The presence of the militia does not result from any existence of riot or disorder, but is a preventive measure that is justified by the conditions. Through the business section of the city many stores have been wrecked, and the seventy-two policemen of the Oakland department cannot give the needed protection. Windows have been broken, sidewalks are down, and there is no lock nor bar to prevent a thief walking into a store and appropriating thousands of dollars' worth of the goods. It is because of this that the militia has been called into service. In ordinary circumstances the police-men of the city can furnish all the protection desired, all that is needed: but the conditions at present are of such an unusual character as to warrant extreme and unusual measures.

But few acts of vandalism have been reported, and no reports of serious loss at the hands of vandals have been received. This desirable end result, without a doubt, from the fact that Chief Wilson without hesitation took steps to guarantee ample protection to the storekeepers of Oakland.

Oakland was crowded last night with refugees from the fire. Every bed in every lodging house was occupied, sometimes with several occupants, and hundreds were turned away. Many wandered about the streets all night, unable to find quarters.

STREETS OF SAN JOSE ARE FILLED WITH DEAD

SAN JOSE, April 18.—One hundred and fifty persons have been reported killed in this city. The entire business portion of the town bordered by St. James on the north, Market on the west, Third street on the east and San Fernando on the south is a complete mass of ruins.

The city is under martial law. The streets are patrolled by troops and none are allowed to leave their homes until 7 o'clock tomorrow morning. All the hospitals of the city are crowded with the dead and dying. The work

closed and entrance pass the cordons is to be secured only upon presentation of a signed pass. The presence of the militia does not result from any existence of riot or disorder, but is a preventive measure that is justified by the conditions. Through the business section of the city many stores have been wrecked, and the seventy-two policemen of the Oakland department cannot give the needed protection. Windows have been broken, sidewalks are down, and there is no lock nor bar to prevent a thief walking into a store and appropriating thousands of dollars' worth of the goods. It is because of this that the militia has been called into service. In ordinary circumstances the police-men of the city can furnish all the protection desired, all that is needed: but the conditions at present are of such an unusual character as to warrant extreme and unusual measures. But few acts of vandalism have been reported, and no reports of serious loss at the hands of vandals have been received. This desirable end result, without a doubt, from the fact that Chief Wilson without hesitation took steps to guarantee ample protection to the storekeepers of Oakland. Oakland was crowded last night with refugees from the fire. Every bed in every lodging house was occupied, sometimes with several occupants, and hundreds were turned away. Many wandered about the streets all night, unable to find quarters.

The exodus from San Francisco to Oakland began early in the morning, and the trains that came from the Oakland mole were jammed. About 10 o'clock the ferry service was discontinued, owing to the danger in which the Ferry Building stood. One landing was then erected near Telegraph Hill. By the Creek Route boat General. After that, tugboats and launches conveyed the crowds over the bay. Later in the afternoon, when the Ferry Building had been declared a danger, the ferryboats resumed operation. They were all filled with people, many of whom took with them their household goods. All night long the Key Route boats ran, each of them filled with panic-stricken people. Not only on getting away from the appalling disaster and the utter desolation. The Key Route ferry system continued to run all night, service and throughout the night thousands of fugitives from San Francisco came to this side of the bay. The boats maintained a regular service and the Atlantic trains connecting with the boats were crowded during the long hours of the night.

Central California not crippled by suspension of any departments. Realizing the importance of the trust imposed—that of filling the field generally, occupied by the San Francisco dailies and of the other papers about the bay, "the paper" still made strenuous efforts to carry out its duty, to satisfy its

"The Herald" was, in fact, the only paper in Central California in a position to offer its mechanical and editorial departments for the use of national department offices. Other papers in the area had been already heavily handicapped, in regard to their mechanical departments, by the war-time shortage of materials available at various times during the war. When it was possible to obtain them, they were often of inferior quality.

been burned out of recognition, segregated on Mack Point. From the authorities at the mortuary, which is still crowded with thousands of widowed people. Hundreds of people are still lying in the streets, and it is now thought that 1,000 more are wounded there is no way of telling. Many of the injured are hurt fatally, and new deaths are being added to the list every hour.

THINK FERRY BUILDING ESCAPED DESTRUCTION

SAN FRANCISCO, April 18. Prompt measures were taken, however, to protect it, and the flames were kept at bay. The building was severely marred by the earthquake, the ferry building escaped destruction by fire, owing to the efforts of the fire men, who pumped water from the bay to save it. For a long time this morning the building was in danger, and the ferry boat was in danger and the ferry boats were not permitted to land there, and in fact discontinued service.

RECORD OF GREAT EARTHQUAKES.

An earthquake accompanied the eruption of Vesuvius when Pompeii and Herculaneum were destroyed, 79 A.D. In Asia 150 cities and towns destroyed A.D. 157. A fearful one in Syria, Palestine and Asia; more than 500 towns destroyed and the loss of life surpassed all calculations, A.D. 742. Constantinople overturned; all Greece shaken, A.D. 936. Calabria, in Sicily, overturned and 15,000 persons buried in ruins, several neighboring towns engulfed, February 26, 1531. In Syria, etc., 20,000 perished, 1158. In Cilicia, 60,000 perished, 1268. At Naples, 40,000 perished, 1598. At Lisbon, 1,500 houses and 30,000 persons buried in the ruins; several neighboring towns engulfed, February 26, 1531. In Japan, several cities made ruins and thousands perished July 2, 1596. In Haplois, 30 towns ruined; 70,000 lives lost July 30, 1626. Ragusa ruined; 5,000 perished, April 6, 1667. At Schamaki, lasted three months; 80,000 perished, 1667. At Rimini, above 1,500 perished, April 14, 1672. One at Jamaica, which totally destroyed Port Royal, whose houses were engulfed forty fathoms deep and 3,000 perished, June 7, 1692. One in Sicily, which overturned forty-four cities and towns and 300 villages, more than 80,000 lives were lost, September, 1693. Aquila, in Italy, ruined; 5,000 perished, 1702. Jeddah, Japan, ruined; 5,000 killed, 1703.

CHIEF SULLIVAN IS FATALLY HURT

Fire Chief Sullivan will die as the result of injuries received yesterday morning during the earthquake. His wife is also seriously injured. While there was also badly injured.

There is no drinking water to be had except at the Presidio and in a few private wells. It is being carted to Black Point, where the majority of the residents of San Francisco now are. In several instances buildings were dynamited that still had people inside of them. They were killed when the buildings collapsed.

Later estimates of the loss of property make the loss far in excess of what was at first supposed. A billion dollars may probably not cover the loss. At the time of this writing the Western Addition was still unburned. The wind is still from the northwest, which is the only thing that has prevented the flames from going further than they are.

SACRAMENTO NOT DAMAGED BY QUAKE

SACRAMENTO, April 19. The severity of the earthquake did not extend to Sacramento. The shock was felt here but it was not sufficient to cause alarm. No damage was done, not even a chimney being cracked.

REDWOOD CITY HAS SUFFERED GREAT DAMAGE

REDWOOD CITY, April 18. Great damage was done in Redwood City by the earthquake. Many building blocks were destroyed and the condition of many is general about the city. The Carnegie library was completely destroyed.

San Francisco Glows as a Huge Furnace

From the vantage point of the hills behind Oakland, San Francisco presented an awful, indescribable spectacle. By day, beyond the glimmering bay, there rose a dreadful pall of smoke. As darkness fell the fires glowed into sight like a long row of open furnaces. When night added its horror to the scene for the people of San Francisco, it served also to turn the cloud into a pillar of fire that rose miles high and miles wide. The effect was terrible. The upper floor of "The Herald" building afforded an unusually fine view of the progress of the fire. There was scarcely a breath of air. At night the stars came forth clear, and the peace and quiet of Oakland and the hills contrasted strangely with the scene below.

FEARING FIRE, PEOPLE OF CITY REFUSE TO LEAVE HOMES

Arrivals from San Francisco on the early morning boats report that it is the general impression of those people of the metropolis who live in the interior district of the city that the entire

action of any department. Rallying the importance of the trust imposed—that of filling the field generally, organized by the San Francisco edition and of the other papers about the city. The Herald, in this connection, is giving the people of the Bay a complete and accurate picture of the terrible catastrophe—and give it to them promptly. Early in the morning "The Herald" chartered every available automobile in the city, and with these as means of rapid transportation, every effort was made to gather authentic news without delay and to place the gathered facts before the reading public with as much rapidity as deer and first-class equipment could make possible. During the day five extra editions were issued, besides the regular editions later in the afternoon, when were served to the regular subscribers by carriers. The extras told first of the damage done in Oakland, of the awful catastrophe in San Francisco, of the dread tragedy at Agnew and San Jose, and in general of all that would most interest the residents of the Bay cities.

At 2 o'clock in the afternoon 10,000 copies of "The Herald" were sent across the bay to San Francisco on a specially chartered tug and the papers were eagerly purchased by the panic-stricken people of the flames-ravaged city. In less than twenty minutes after the papers were placed on the San Francisco shore every one had been disposed of. "The Herald" was the only newspaper to be circulated in San Francisco during the day, and was the only one that the residents had of learning the full extent of the tragedy in their midst and of the afflictions that had visited nearby cities.

When the last edition of "The Herald" was placed on the press, this being the edition that is given a general distribution by carriers, an extra run of 15,000 copies was made, 5,000 for additional delivery about Oakland and 10,000 for general distribution about the Bay cities. In a huge, four-cylinder automobile the 10,000 extra copies of "The Herald" were placed, and in record-breaking time the century run, Oakland to San Jose and back to San Francisco was made. It was expected at least 5,000 papers would be left for distribution in San Francisco at the conclusion of the journey, but the demand for the papers in the interior towns was so great that the great majority of the papers were disposed of before the metropolis across the bay was reached. In San Leandro, Hayward, Niles, Palo Alto and San Jose no paper except "The Herald" had been offered for sale. It remained for "The Herald" to bring to the residents of the Bay cities reliable information of the extent of the earthquake's damage, to tell of the pandemonium of hell raging in San Francisco, to describe to the residents in San Jose the horror that had befallen in their midst. The hundred-mile run was made in two hours and thirty minutes—a good record for auto driving—and during that time 10,000 copies of "The Herald" were disposed of, which is the record for news paper enterprise.

Early in the day, the management of "The Herald" realizing the dire, dotted condition of the plants of the great dailies of San Francisco, filed telegrams offering the use of "The Herald" plant for the publication of the three morning dailies and the Bulletin. While the messages were still waiting to get across the bay, the Western Union and the Postal systems being no crippled that they could not establish communication with San Francisco, the town of Gilroy is in ruins as a result of the earthquake which occurred at 5:13 this morning. Practically every building of importance in the city was seriously damaged or utterly ruined by the shock. As far as is known no lives were lost.

TOWN OF GILROY IS NOW IN RUINS

GILROY, April 18.—The town of Gilroy is in ruins as a result of the earthquake which occurred at 5:13 this morning. Practically every building of importance in the city was seriously damaged or utterly ruined by the shock. As far as is known no lives were lost.

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matters

NO ENEMIES TO PUNISH.
NO SPECIAL FRIENDS TO SERVE

ALL THE NEWS THAT'S FIT TO PRINT

Full Scripps Telegraph News Service—Supplemented by Reports of Special Correspondents in the World's News Centers.

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AMUSEMENTS.

Ye Liberty—"The Light Personal"
McDonough—"The Lion and the
Houey"
Belt—"Vauderth"
Novelty—"Vauderth"

SAN FRANCISCO.
ALLIANCE—"Quemo
Hurtigdom."
CALIFORNIA—"The
Hemlock."
CENTRAL—"Dangers of Work."
GRAND OPERA HOUSE—Grand
Opera
MAJESTIC—"The Last Elec-
tor."

The miracle Dowie asserted he was going to work may be said to have developed a defective spark.

Senator Tillman, having waited until Vesuvius
 ished, broke forth with a life-sized eruption yesterday.

A Berkeley professor has told his students that they are unable to think. Not during the roller-skating craze at least.

It is quite natural for the muckrakers to defend raking muck, as though it were the most noble occupation on earth.

The Senate committee on immigration is trying to find someone who can explain the Chinese boycott. Why not ask John?

Howe is willing to make financial concessions, but he insists on remaining as the spiritual head of Zion City. What a road for principle!

The Earthquake.

An earthquake, more severe than any recorded in the history of California, occurred this morning. At this writing it is impossible to estimate the consequences in loss of lives or property; neither is it known what area of the state was affected. All that the people now realize is the terror of it all—the terror and the apprehension. As might be expected the city of San Francisco has suffered greatly, and fire is adding to the horror of the conditions which are accentuated, it is said, by the utter lack of water owing to the breaking of the mains connecting with the fire hydrants. Rumor is busy with the details of disaster and we can only hope that the half we hear is not true.

In Oakland there is scarcely a chimney standing, and the cornices of nearly all the brick buildings have fallen into the streets—the loss of life is considerable, and this phase of the convulsion is fully reported in our news columns.

During the morning there were several light tremors succeeding the great shock of early morning. These, however, do not necessarily presage another heavy shock, and, in truth, if we may predict on the basis of previous convulsions of this character, there is little likelihood of a repetition of the disturbance for many years—there was an interval of nearly twenty years between the two historical earthquakes of California—one of which occurred in the sixties and the other in the eighties.

It would be useless to speculate on the cause of this earthquake—we can only note the coincidence of an eruption of Vesuvius and a series of terrific earthquakes in Formosa, on the other side of the earth; it is possible that the shock this morning may have been caused by a seismic effort to establish an equilibrium: until we hear from other sections it will be impossible to decide whether this earthquake was general or local.

Cheng's Politics.

Contrary to all precedent, utterly destructive of all preconceived notions entertained by the outside barbarian regarding the subtlety of the Oriental method, is the blunt, forthright, hand-on-the-hip retort by Sir Chen Yung Liang Cheng, Chinese Minister, in reply to Representative Derby's assertion that fraudulent certificates had been issued to Chinese coolies under the seal and manual of Chinese officials.

In a letter to John Fourn, secretary of the American Asiatic Association, printed in the proceedings of the House committee on foreign affairs, now considering a revision of the Chinese exclusion law, the Chinese Minister used this language: "I consider the intimation of Mr. Fourn that the Chinese Government had no objection to the Chinese being admitted to the United States as a

underecog by the tail unless you have properly tipped him; because some waiters have to pay a high price to the steward for their "places;" because it is English; because it is "good form;" and, finally, because you don't have to. Tipping the waiter is apparently a useless formality, because the tip is delivered out of "the change" at the end of the meal. It might be argued that the "guest" could escape the tip if he had the desire to do so and the courage of his conviction that he has paid enough when he pays the price marked on the menu. But a common experience teaches that while the "guest" may escape in the first instance he will not make any effort in that direction the second time in the same place. The waiters know their business, and the man that withholds the tip is "2-3."

It is doubtful if the tip could be abolished even if the highest wages were paid to the waiters. It is a custom that has fastened irrevocably on the people. We tip the waiter because it is "the thing to do," and because we are averse to anything that savors of singularity or eccentricity. If our friends should discover that we made a practice of avoiding the tip to the waiter they would say we were too mean to eat in a place where everybody else tips the waiter.

In the beginning of this fashion a tip was a bribe for a better service; but since tipping has become a settled custom nobody expects anything from the waiter that he does not give to everybody whom he serves. There is, therefore, but one recourse for the man that tips the waiter—let him regulate the amount of his tip by the efficiency of the service he receives from the waiter; and if the service is execrably bad let him pocket every dime of "the change." Let the tip measure the wrath of the tipster and convey the vengeance of the ill-served upon those who waited while you were waiting.

Passing Comment.

Nobody but a pessimist can believe that this country will be as bad as the Socialists say it is.—Toledo Blade.

Don't blame John D. Rockefeller III. Very few of us are allowed to pick out our grandparents.—Portland Oregonian.

If Mark Twain's stories are too strong for Brooklyn's juvenile readers it is not the fault of the books.—*Detroit News*.

A bird in the hand may be worth two in the bush, but a ton in the coal yard will soon be worth two in the bin.—
New York Herald.

A gift-bearing Greek is properly feared, but not nearly so much as an amendment-bringing Senator.—Chicago Record-Herald.

*Thanks of man, mere man, are due to the clergyman who, with Lester at hand, denounced feminine extravagance in dress.—New York Herald.

After having reformed the appelling of the common citizen, Mr. Carnegie now desires to rename the Corcoran a strenuous endeavor Mr. Carnegie has Mr. Roosevelt

SECRETS SOLD TO AUSTRIA.

It would be difficult to imagine Paris without its fashions—as difficult as to picture it theatreless and artless. The mode grows as instinctively in the soil as oranges in Spain and tobacco in Cuba. It is a plant that is delicate, and it will not stand either the cold winds of Berlin or the fogs of London. Like aestheticism, it is not an article for export; that is to say, as a living organism. There is something in the atmosphere of Paris that breathes the mode to perfection. You may transfer the makers of it to other climes, but they will soon lose their taste, unless they revisit the glimpses of the Rue de la Paix to correct their wandering ideas. In the physical it is much the same. The trifling donna, stumped with the approval of this elite, goes abroad and carries fairs and dresses in London or New York but she knows no dressmaker.

Large prices are paid for this elopement of information. The newest models arrive in the hands of the unscrupulous purchaser they are cut to pieces and the several sections are distributed in the workshops. By means of a minute division of labor, a complete dress—an exact copy of the original—is quickly furnished. It is then dispatched in great quantities and sold at a price far inferior to Paris prices. Thus the mode which has caused a vast amount of speculation and innumerable exportments by talented designers in the Rue de la Paix is vulgarized in Berlin and Vienna and perhaps in Honolulu before it is even properly launched in Paris.

This is an intolerable circumstance to the Paris dressmaking trade, which is praying for a sharp conviction in the present case if the offense is fully proved.

must renew itself from time to time, and the Paris opera-house to save herself from drifting into journalistic habits.

These preliminary remarks are intended to show the importance that attaches to the ballroom of Paris in a matter of dress. Wherefore, you can understand the flutter there has been during these last few days in the Rue de la Paix over the theft of a number of dress models from a famous "couturier's." One of the shrewdest detectives of "La Sûreté" was engaged to discover the mystery of the loss. In the disguise of foreman of the workshop he entered the service of the firm and succeeded in gaining the confidence of one of the young work-girls, who innocently revealed the fact that the intermediary in the theft was her fiance, one of the male cutters now flown in the house. Put upon this scent, the detective speedily gained the necessary proof by seizing on incriminating telegram from Vienna, which models were being anxiously awaited. The addressee was arrested and brought before a magistrate, who is now investigating the affair. Needless to say, the case is not an isolated one. Models are being constantly stolen on behalf of Berlin and Vienna.

Happily, London is almost free from this charge—at least, according to a statement made to me by a leading

Dress secrets are as jealously guarded as secrets of late—indeed, perhaps, the comparison is hardly strong enough considering recent alphonse revelations. I have just had occasion to discover that the so-called "fashion magazines" published here, there, and everywhere are often not the least in any sense. It is not given to every one to have the entire to the great houses that formulate the mode either in hats or dress, and, consequently, these people must depend upon indirect sources for their information.

Certain photographers do a thriving business in photographing the backs of their most elegant "clients," which are afterwards sold to the fashion publishers and appear as the latest creations. Sometimes they are the latest, often they are nothing of the sort, and often they are nothing of the sort, and method is to catch the wrongs of the novel costumes in the pulchre at low rate course and to abate of atmosphere the dressers; but such a proceeding runs its difficulties and even the parties. This more celebrated the houses, the more jealously it guards its skirts, even when they have already been hounded. So nice a matter is the mode that the moment a certain risk becomes common property, that fresh elements are eagerly turned to fresh sources. It is hardly necessary to say that the Paris fashion in this journal are compiled by lady collaborators who are fully in the secret of the gods of dress.—Full Mail Gazette.

WEIGHING THE EARTH.

Scientists are not satisfied with the accepted figures of the weight of the earth, and the survey department at Washington is fitting out an expedition to weigh it again in the most approved methods known to modern science. The weight of the earth and the thickness of the mine's depth and the rest of the mine. By guessing more or less accurately at the weight of this surface shell, figures were obtainable of the weight of the whole.

The great pyramid of Egypt is to be put to use by modern men of science. The principle employed is that the attraction of a body measures its weight, allowance being made for its distance. By the pull the sun exerts on the earth, as shown by the latter's position, the sun weighs 352,251 times as much as the earth. Given the sun's weight, it is easy to weigh all the planets. The trouble is feeling all this first minutely the weight of the earth. Over half a century ago pendulums were swung at the bottom and the top of a deep coal mine shaft, and the difference was found to be 1/2 inch. The pendulum was 100 inches long, and the

In the new experiments pendulums will be swung at points on the ground pyramid, and similar comparisons can then be made. But it is much easier to measure the weight of the surface shell of the earth, as was done in the old experiment. And modern methods of precision are relied upon to measure the almost infinitesimal difference in the times the pendulum swings at the top and bottom.

The number of cubic miles in the earth is about 263,000,000,000,000 cubic mile. Each cubic foot weighs about 1.62 tons as much as a cubic foot of water, so that the weight of the earth is about 425,000,000,000,000 tons.

not ask John?

Dowie is willing to make financial concessions, but he insists on remaining as the spiritual head of Zion City. What a stand for principle!

If Oakland can convince Alameda and Berkeley that it does not wish to "absorb the identity" of those cities, will they consent to consolidation?

Girls of forty are barred from society, says a Chicago dispatch. This rule will work no hardship. Girls may reach the age of twenty-five, or even thirty, but forty—never.

It is Sergius Witte's time to chuckle, and Alexis Preshkoff, alias "Maxime Gorby," doesn't need a long-distance telephone to hear the sardonic gurgle in the old man's throat.

Requiem written by the yellow muckers: Hang up the muckrakes; unstring the long bow; lay down the shovel and the hoe; there's no more "treason" for the poor old Senate—it's gone where the bad Senates go.

A judge in Georgia says playing bridge whist for money is gambling and that women who indulge in it should be punished the same as the common, ordinary offenders in that line. Could anyone be so old-fashioned!

Mr. Horsman, of Cincinnati, who hopes to defeat Nick Longworth for Congress, says he can point to nothing his rival has done during his term in Congress. Mr. Horsman was evidently visiting Mars during a recent White House celebration.

Somebody has suggested that it would be a vast improvement on periodical literature if the essay of the time of Addison, Steele and Johnson were revived in this age of literature while you wait. An excellent idea; but where shall we find the Addisons, Steeles and Johnsons to write the essays?

Los Angeles complains that San Francisco is a dirty city. San Francisco might retort by saying that it is twice as difficult to keep a city of half a million population clean as to take care of a city with only a meekly quarter-million. That would be more dignified than saying "You're another."

President Roosevelt says he "just put out the inheritance-tax idea to start people thinking." As an incentive to thought President Roosevelt is a wonder. And when there is nothing else to think about the people put in their time thinking what their strenuous President will do or say next. Yes, yes; our President keeps us pretty busy thinking of him, about him and at him.

Old subscribers and constant readers of the New York Sun are discussing "what constitutes a gentleman." For our own part we have a personal opinion that a gentleman may not be defined, but we are even more convinced that the man that refuses to give his seat to a woman in a street car is "no gentleman," lasting our conviction in this regard largely on the opinion of the woman themselves.

manful of Chinese officials.

In a letter to John Hays, secretary of the American Asiatic commission, pointed in the proceedings of the House committee on foreign affairs, now considering a revision of the Chinese exclusion law, the Chinese Minister used this language: "I consider the intimation of Mr. Denby, that, but for the vigilance of the immigration officers, there would have been a traffic in bringing in illegal Chinese which would have enriched thousands of officials, and our country would have been overrun with them as if there had been no exclusion laws," as an emanation from a fertile imagination rather than a trustworthy judgment founded on cold facts.

There is nothing Oriental in this retort courteous, almost verging upon the lie direct. It is in no sense comparable with the hesse of a Li Hung Chang or a Yuan Hsi-kai, both of them statesmen of a high order and masters of indirection fit to sit with the wisest handful of the faculty of any university of politics in the Far East. It is what we call "shirt-sleeves diplomacy." It is of the Cleveland type and has a decidedly Monroe-doctrine flavor, indicating, also, that the Chinese Minister has observed the Roosevelt method with close attention if not with profitable discretion.

It was a very bad break for Sir Chen Tung Liang Cheng, and he may lose his head as he has lost his face. They are not squeamish about heads in China, and the head of Sir Chen Tung Liang Cheng would never be missed from those that kow-low in Peking. In the expressive metaphor of the common people of America, Sir Chen "batted in too far," and it will be a hard wriggle to crawl out of the hole into which he has so recklessly plunged.

Fraudulent certificates have frequently been indorsed by Chinese laodais and even by Chinese viceroys—as in the American consular records of Canton under the corrupt McVade administration. Representative Denby's accusation was so susceptible of documentary proof that he probably regarded it as a commonplace. Everybody interested in such matters has seen the fraudulent certificates to which he referred. It was very, very foolish for Sir Chen Tung Liang Cheng to write that letter. If, however, he can show mitigating circumstances the board of punishments may be induced to commute his sentence to strangling with a blue cord, thus permitting him to approach his ancestors intact and without fear that his honorable head will drop off when he makes obeisance to those honored and honorable shades.

Problem of the Tip.

One of our near Eastern contemporaries offers as a problem for general solution and consumption, "Why do not the elegyemen and women give 'tips to waiters?' " We give it up and offer another all our own. Why does anyone "tip the waiter?" All sorts of answers are forthcoming—a veritable babel of information, all of it based on exact and indisputable personal knowledge: Because the tipper has money to throw at the brats; because the waiter is very poor and needs all the money he can get; because the man that employs the waiter is too stingy to pay decent wages; because the union scale is not high enough; because if you don't bribe the waiter you don't get the service; because it is the fool custom; because the waiter expects it and stands waiting; because the waiter will refrain from helping you on with your overcoat if you don't tip him; because the waiter will not pull your

After having reformed the spelling of the common citizen, Mr. Carnegie now desires to rename the Corey. As a strenuous endeavor Mr. Carnegie has Mr. Roosevelt broken to a frazzle.—New York World.

Zion City has succeeded in deposing Dowie. Can't it give the Department of Justice the recipe for ousting a magnate.—New York Herald.

People used to tell their troubles to a policeman. The custom now is to tell your troubles to the President of the United States.—Washington Star.

Parker says the Republican party is "rotten to the core." Unlike the Democratic party, however, it still possesses "esprit du core."—New York Mail.

Judge Parker thinks the Democratic nominee should come from the South. At last the judge and Tom Watson are in agreement on something.—Chicago News.

One cannot truthfully speak of Brother Dowie's City of Zion as flowing with milk and honey, though Judge certainly milked it.—Philadelphia Press.

A man dropped fifty feet from the top story of a Cincinnati building this week and was not hurt in the least. They were pickled pigs' feet.—Atlanta Journal.

David B. Hill favors George B. McClellan for President in 1908. This seems to make it unnecessary to bother over McClellan any more.—Chicago Record-Herald.

Russia is to spend \$100,000,000 for her new navy—that is, the navy will cost what is left of \$100,000,000 after the official grafters get theirs.—Colorado Springs Gazette.

The ability he displayed in handling Mrs. Minor Morris seems to have earned for Mr. Barnes the chance to show what he can do when it comes to hustling out the mails.—Washington Post.

"I think," says John Oliver Holmes (Mrs. Craigie), "American women spend more money for clothes and gems than any other women in the world." The coal operators intend, however, to correct this evil, at least in a measure, as soon as they can.—Chicago Record-Herald.

German state policy is determined by the political and geographical conditions of Germany, and those conditions render a decisive war with Great Britain almost inevitable sooner or later, and entirely justify it from the German point of view.—Vanity Fair.

William Jennings Bryan's daughter has written a play. If heredity counts, it should be chuck full of "speaking parts."—New York Herald.

Old King Coal is a merry old soul, he looks on a strike as fun; the longer it lasts the louder he laughs as he marks up his price per ton.—New York Herald.

It is perhaps but natural that men, The portrait was of an American woman, and women of genius should desire the best of their works only should live after them, and for this reason many a celebrated artist has destroyed his own pictures, says a London publication. When Hogarth was almost at the height of his fame he painted an interior, which was very criticized by a friend. The artist, acknowledging the justness of the criticism, and when his frank friend had left the studio he took a sharp knife and deliberately cut the canvas in two and then threw the pieces into the coal scuttle. They were found the following day by one of the maids who took the pieces home.

WRECKED THEIR OWN WORKS.

Some time afterward the story of the ruined picture reached the ears of a relative of Hogarth's, who thereupon went to the maid and asked her to sell him the pieces. She agreed to do so, but when she went to look for them one-half vanished. Search was made and inquiries instituted, but with no result, and the relative had to be content with half of the picture, which is now in the possession of Hogarth's descendants in Aberdeen.

Hogarth was but one of many artists who have, in a fit of discontent destroyed their own works. Jules Flammarion, in an interesting article on the life of the great sculptor, Rodin, tells how the great artist had been working for many weeks on an ideal group symbolizing the birth of spring, when he suddenly became convinced that the treatment of the subject was wrong, and with one blow of his clenched hand he reduced the graceful group to a mere mass of "wet clay."

Christen, the famous French portrait painter, once destroyed a picture for which he was to receive £1,000.

BALLAD OF OLD-TIME LADIES.

(Written by Francois Villon.)

Tell me where, in what land of shade,
Blades fair Flora of Rome, and where
Are Thais and Archigade,
Cousins-german of beauty rare,
And Echo, more than mortal fair,
That when one calls by the river-flow,
Or marsh, answers out of the air?
But what is become of last year's snow?

Where did the learned Heloise fade,
For whose sake Abelard might not spare
(Such dole for love and a coal to wear)
Mashed to love and a coal to wear?
And where is the queen who willed whither
That Buridan, dead in a sack, should go
Floating down Seine from turret-stair?
But what is become of last year's snow?

Blanche, too, the lily-white queen, that made
Sweet music as if she a siren were;
Broad-foot Boethia, and Joan the maid,
The good Lorraine, the English bare,
Captive to Rouen and burned her there;
Beatrix, Frembourc, Alice—lo!
Where are they, Virgin debonaire?
But what is become of last year's snow?

ENVOI.

Prince, you may question how they fare
This week, or later this year, I fear;
Still shall the answer be "last year's snow!"
But what is become of last year's snow!

IMPORTANT

NOTICE TO

VOTERS

REGISTRATION

Office of the County Clerk,
Alameda County, Cal.

NOTICE IS HEREBY GIVEN THAT, IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 53, STATUTES OF 1899, ALL VOTERS OF ALAMEDA COUNTY MUST APPLY FOR RE-REGISTRATION IN ORDER TO BE ABLE TO VOTE AT THE GENERAL ELECTION IN NOVEMBER. AS EVERY NAME ON GREAT REGISTER WAS CANCELED JANUARY 1, 1906.

OWING TO THE FACT THAT THERE IS NO PROVISION OF LAW PROVIDING ASSISTANCE FOR THE CLERK TO REGISTER VOTERS, IT IS IMPORTANT THAT VOTERS SHOULD APPLY FOR REGISTRATION AT ONCE IN ORDER TO EXPEDITE THE WORK.

SUCH RE-REGISTRATION BEGAN ON THE 1ST DAY OF JANUARY AND WILL BE IN PROGRESS AT ALL TIMES UNTIL FORTY DAYS PRECEDING THE NEXT ELECTION IN NOVEMBER.

IN ORDER TO FACILITATE THE WORK OF REGISTRATION, A TENTION IS CALLED TO THE PROVISIONS OF SECTION 1097, WHICH READS AS FOLLOWS:

Sec. 1097. No person's name must be entered by the clerk of the county upon the product of a certified copy of the judgment of a superior court directing such entry to be made.

Alameda Escapes
Without Loss of Life

ALAMEDA, April 18.—No persons were killed outright here this morning during the fearful trembling of the earth, but two men were seriously injured and many die. Thus far no clear estimate has been made of the damage done, but it will run into the hundreds of thousands. Great fissures opened on the Webster-street roadway, and for half a mile the truck foundations dropped four feet, leaving the rails and the suspended. The heavy steel rails recently laid by the Oakland Traction Company and the Southern Pacific Company were bent and twisted in serpentine fashion and all rail traffic was suspended on the Webster-street track. Electric power was shut off, gas was turned off, and because of the collapsing of the thousands of chimneys throughout the city householders were unable to prepare their meals.

Park street, the principal business thoroughfare, was where the greatest damage was done, and that street and cross-avenues were piled with debris. William Cunningham, a special policeman of Oakland, while attempting to drive his wife through a window in a ground-floor room of the Leona Hotel, was struck on the head by a chimney brick and sustained a fractured skull. Frank Wilbur, employed at Clark & Sons' pottery works at the West End, was hurt beneath a pile of bricks from the great chimney at the plant that toppled over. Wilbur is badly hurt and may die.

At St. Burdick's home at No. 1607 Bay street dropped seven feet and collapsed. Burdick rescued his wife and seven children from the ruins. Mrs. Burdick picked up her young son, Shirley, from a bed just in a large picture-frame fell upon the place where the child had been lying.

Charles Sturms' home at No. 1525 Eighth street collapsed, and it was with great difficulty and danger that Sturms carried his invalid wife from the demolished structure.

Asa T. French's residence at No. 1017 Mount street was another of the buildings to cave in. The occupants of the house escaped in their nightclothes.

The old brick building at the northeast corner of Park street and Santa Clara avenue, occupied by the undertaking parlors of C. H. Waver, the Citizens' Bank Dr. W. R. Hughes, Fred Boehmer and family and the Weaver family, appeared as if it had been through an explosion. The greater part of the south wall fell into Santa Clara avenue and the north wall fell upon the wooden building occupied by E. B. Dunning. Fred Boehmer, his wife and little girl, were rescued from the ruins with a fire ladder, the work of rescue being heroically performed by Joseph Palmer, of House No. 1, Carl L. Helmsstein of the Hook and Ladder

Company and other firemen connected with the department. Waver and his family made their way out of the debris without injury.

The tower on the City Hall was cracked in several places. The tall building of the Contra Costa Water Company on Park street, on top of which is a great reservoir, was cracked like a dipper and amounts of water were splashed into the street. At the Webster-street life-house the doors flew open with the shock and the fire-horses in front ran from the building and were not found until they had reached the East End.

At St. Joseph's church many valuable statues and altar ornaments were hurled to the floor and broken. The only statue to remain in position and intact was one of the Blessed Virgin. At Alameda point one of the lime-house all tanks of the Southern Pacific Company burst asunder and the ground was deluged with the fuel oil. A five-thousand-gallon tank if water fell through the roof of the Alameda bakery building on Park street and mixed with great quantities of flour stored in barrels and sacks. The Methodist church block, on central avenue and Park street lost part of the north wall. The building occupied by the Akasson liquor store on Park street was moved out of position and shattered. Wetwoods were freed from barrels and bottles, until the employees of the place were forced to don rubber boots to work.

All of the public schools were closed owing to the rain of terror prevailing and the four of trusting the pupils to go into the buildings. The roof and cornice-work of the Alameda High School were demolished in many places. A windmill and tank that stood close to the rear of the residence of Fred Schumann, No. 2546 Lincoln avenue, collapsed and narrowly missed striking the house.

The glass fronts of the real estate offices of Lewis & Shaw, E. D. Judd & Co., Hammond & Hammond, were wrecked and the interior of the offices piled high with plaster from ceilings and walls.

Many business men who were anxious to reach San Francisco to ascertain what damage had been done to their interests were unable to get out of town on trains. Some of them secured automobiles and went to San Francisco by way of San Jose. Others chartered launches and crossed the bay. There is probably not a house or building in Alameda that has not been damaged more or less. The damage to crockery alone is expected to reach thousands of dollars.

Many Business Firms
Suffer Heavy Losses

Among the firms suffering losses from the earthquake this morning was that of Smith & Wagon. A "Herald" got it you will see any more quarters put. It is supposed that the reporter

Thousands Left Homeless
in the City of San Jose

Superintendent John D. Mitchell returned this afternoon from San Jose, and he reports the conditions in the Garden City as terrible. He says the suffering and disaster passes description. Supervisor Mitchell brought to Los Angeles, superintendant of the Alameda County Infirmary, an appeal for help from the superintendent of the Alameda State Hospital near San Jose.

The injured of San Jose are being taken to the Agnew Hospital and help is needed in caring for them. Dr. Clark has arranged to send three trained nurses, with full equipment of fixtures.

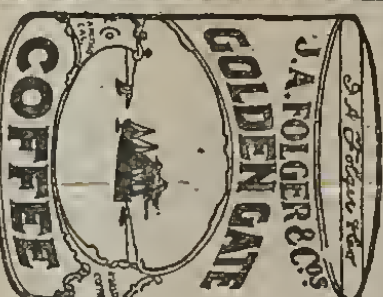
money, bandages and medicine, to Alameda immediately.

Superintendent Mitchell also says the people of San Jose are greatly in need of assistance. Many have been left homeless and penniless. For these bedding, food and clothing are needed urgently. The public-spirited citizens of the Garden City are preparing to erect tents to shelter the homeless. They will be cared for in this way until better provision can be made for them.

Offer Park to Those
Who Are Homeless

The Idora Park management this morning addressed a letter to the Board of Public Works of San Francisco offering the park grounds and all the buildings enclosed within the limits of the park for use by the unfortunate people of San Francisco who have been left homeless and in a condition of need by the terrible earthquake.

The Oakland Traction Consolidated has supplemented the offer by agreeing to loan all its teams for the hauling of the effects of the needy persons to the park grounds. The two hundred cordoned have been taken from the Fortieth-street car shops and removed to Idora Park grounds to be used by the sufferers who seek shelter and comfort at that place.



Penny wise
and plenty
foolish
is the one who
buys cheap instead of

Golden Gate

The Way to Do a
Thing Is to Do It

Doubtless you have been talking with yourself about the advisability of opening a commercial or a savings account with a reliable bank. It's the only proper way to do business—convenient, safe and dignified. There are many good banks in Oakland—in fact, we will truthfully say there is not one that is not good. But very naturally we think the Central Bank is the best of them all. We have most confidence in it, because we know most about it.

We want your account, and we believe that if we were to talk to you for a few moments you would want to give it to us.

We are here for business and we want all we can get, and we'll handle it in the right manner. Now if these remarks interest you, step in and let us get together.

CENTRAL BANK

Fourteenth and Broadway

1008, O'Connell
W. G. Palminteri, President
W. H. Dubez, Vice-President
Ando S. Blake, Cashier

DIRECTORS

Geo. C. Perkins, James R. Mott
J. W. Phillips, W. T. Veltch
J. G. I. Palminteri, A. S. Blake
John L. Phelan, Charles Bulla
W. S. Phelan, C. D. Pierce
W. H. Dubez

THE SYNDICATE BANK

A bank prospers when the people prosper. Neither is independent of the other.

CAN PAOLO AVENUE AND 23TH STREET.
EMERYVILLE, CAL.

MRS. LE DOUX SAYS 'NOT GUILTY,' ARRAIGNED IN STYLISH NEW GOWN



MRS. EMMA LE DOUX AS SHE APPEARED IN THE SUPERIOR COURT AT STOCKTON YESTERDAY AND PLEADED NOT GUILTY TO THE CHARGE OF KILLING A. N. McVICAR.

Accused Poisoner of Albert N. McVicar Will Be Tried at Stockton May 22d.

Apr 17 (Special Dispatch to "The Examiner.") STOCKTON, April 16.—Mrs. Emma Le Doux, the woman who occupies a cell in the San Joaquin county jail charged with the murder of Albert N. McVicar, who had been her husband, entered a formal plea of not guilty this morning before Judge W. B. Nutter of the Superior Court.

She came into court attired in a dress especially made for the occasion. She was modestly yet modestly clothed, this woman who must stand trial for the murder of one of her husbands. A pretty white skirt with the lateral turnover rollers topped off a skirt of black made of the latest cut. A long black tie, gracefully caught, hung from her collar and a pair of black kid gloves hid her arms from the ribbon down. On her head sat the large black-headed hat that she wore on the day of her arrest and draped from it was a plain white veil.

No one, however, that this neatly dressed woman is the one who is held for murder, could have suspected ought but that Emma Le Doux was the quiet housewife of a small interior town, down into the bustling section of a shopping expedition. And she carried the clothes in a manner that attracted their notice. She was prone of the thin and the waisted figure to know it, but had the white in her lovely call, emphasized the stockton's head, dressmakers for a day or two last week while the work of fitting the man figure was in progress. Would it be the thing to do for Emma Le Doux to wear into that courtroom the very dress she wore on the day McVicar was murdered?

It was a pretty gray suit that she wore then and that she wore when she smiled her way through the crowds at Stockton into the county jail. The occasion then she took a cue upon which to make merry and to be gay. The courtiers and the gaping crowds gazed at her. But now the scene had changed and she had begun to feel the gloom of her situation. And in keeping the dress she wore to a somber black, with just enough of the white to add life to her neat attire.

HAS DEFIANT SMILE.
Emma Le Doux is not pretty. In her girlhood days she had been the pride of the mountain camps of Amador for her beauty, but ten years of life spent when the night lights glare is written in the lines of her face. Her face is a canvas one and her cheek bones are high. There is only one feature to the make-up of this woman's countenance and that is her smile. It is the smile that tells of mingled self satisfaction and defiance.

On Tuesday morning May 22d, at 10 o'clock, the trial of the alleged poisoner will begin. This is the date agreed upon by counsel and set in by the court.

Long before the hour set for the appearance of the accused woman the courtroom was crowded to standing room only. More than half the spectators were women. Promptly at 10 o'clock Judge Nutter took his seat on the bench, and Sheriff Sibley, walking a few feet in advance of the prisoner, came into the courtroom from the ante chamber, whether he had brought her time before.

Mrs. Le Doux walked with a firm step—

GAMBLERS TRY TO ESCAPE LAW

Long Arguments Made Before
Judge Cabaniss in an Effort
to Upset on Technical Ground
the Ordinances of the City.

Apr 17—1906
The field against the gambling ordinances under which the players found in Ned Landon's crap game were attacked by District Attorney Langdon a week ago, was begun in earnest this morning before Police Judge Cabaniss. Attorney John J. Greeley attacked the ordinances in a demurrer to the complaint. He offered in support of his contention a number of authorities to show that the titles of both were inadequate.

Assistant District Attorney Robert Harrison met the attack with an equal number of authorities to support them. For more than two hours there was a lively exchange of legal lore, in which the Court took an active part.

Harrison began by disposing of Greeley's objection to ordinance 25, which prohibits the maintenance of gambling places. He said:

"Mr. Greeley has brought in play here that section of the Charter which is identical with a constitutional provision requiring that the title should embrace all the subjects of an act. This provision cannot be construed along narrow lines. Where the title in an act is not definite it is proper to resort to the body of the act to see what is intended. The word 'maintenance' must not be confined to a single meaning. To contribute to such a game is in effect maintaining it. It cannot be questioned that a person who goes to a gambling place with intent to play is contributing and therefore aiding in the maintenance."

"The courts have repeatedly held that it is not necessary for the title to contain a recital of an abstract of its contents. It has been often held that an act for the establishment of a school for juvenile offenders was good, although the title stated no more than the main purpose for which it was intended."

In like manner Harrison took up the objection to ordinance 133, which prohibits the throwing of dice in public view. The question here was the interpretation of the phrase "public view." It was contended that it meant a public place.

Attorney Greeley opposed all these arguments relying upon the general application of the constitutional provision. At the conclusion Judge Cabaniss intimated that the objections to ordinance 133 were probably good, but he has withheld his decision until Monday so that he may have an opportunity to further examine the authorities.

POLICEMAN ACQUITTEN ON A CHARGE OF PERJURY

Apr 17—1906
William I. Burns Is Found Not Guilty in
Judge Lawlor's Court.

Policeman William I. Burns was acquitted of perjury yesterday by a jury in Judge William F. Lawlor's court. The jury was not only evenly divided, and took but one vote. The acquittal of Burns was received with undisguised pleasure by his many friends who have stood by him ever since his good name was clouded by the felony indictment returned against him by the "Andrew" Grand Jury.

Judge Lawlor kept the case of Burns on his calendar for thirteen months after the policeman's indictment. But when Burns finally secured a trial he had little difficulty in establishing his innocence. He was represented by Attorney William Johnson. The case of the State was handled by Assistant District Attorney O'Garra.

It was alleged in the indictment against Burns that he perjured himself while testifying in the case of Charles Wyman, who was convicted of voting more than once at the primary election of August 1904.

COLLINS FIGHTING HARD FOR RELEASE

Argues Habeas Corpus Which Judge Murasky Takes Under Advisement.

Apr 17—1906
The fight for the release of Collins is being fought at the Superior Court in the case of Collins vs. the State. Collins is fighting a habeas corpus which Judge Murasky has taken under advisement. Collins is fighting a habeas corpus which Judge Murasky has taken under advisement. Collins is fighting a habeas corpus which Judge Murasky has taken under advisement.

It is the contention of Collins that he was wrongfully convicted and that he is entitled to a new trial. Collins is fighting a habeas corpus which Judge Murasky has taken under advisement. Collins is fighting a habeas corpus which Judge Murasky has taken under advisement.

The convicted attorney without a highest hesitation at once agreed that under that ruling he still should not the charge, nor should he be allowed as another argument that the jury was constituted with and the same as the highest charge, having been committed with of this in his marriage to a woman in this ground he asked the court had no jurisdiction over him, or again to an extraordinary offense and he holds that his conviction was entirely illegal.

Judge Murasky, after hearing the argument took the position under advisement and probably will render an opinion some time this week.

It is the intention of Collins that he not be granted the right to go before the Federal Court to test the validity of the treaty between the United States and British Columbia alleging that it was violated when the State of California took possession of him upon expiration and the conviction of him of another crime out of the first.

UNDEVELOPED CONVICTS TAKEN

TO THE PRESIDIO

Apr 20—1906

SAN FRANCISCO, April 19.—All the prisoners in the county jail on Broadway, numbering about 150, were removed to the Presidio in the darkness early today by a heavy guard of soldiers. Two big searchlights were used by the soldiers in light the way and to show the movements of the prisoners, many of whom were criminals of the most desperate character.

Those at the prisoners who were awaiting trial or sentence for murder or for highway robbery were shackled with irons before leaving the jail and as they marched to the military reservation their footsteps were accompanied by the clink of their steel chains and ankle fastenings.

The prisoners were told by the military officers that any attempt to escape would result at once in the offenders being riddled with bullets—a grim admonition that caused all of the prisoners to keep closely together in regular marching formation until they reached the Presidio, where all were tightly locked up in the post guardhouse.

LOOTERS SHOT BY THE POLICE

Apr 23—1906

Patrolman Charles Fennell reported to Captain Duker yesterday that he had shot a looter in the shoulder and that the man had been taken in charge by the soldiers and put in the Presidio Hospital. The man, a fellow by two bad been turned over to a large store, citizens who found him in a clear store. He had a bottle of whisky, some watches and jewelry, and a revolver. When Fennell took him from was shot, he made a break and was shot. A soldier coming along made a lunge with his bayonet, but stumbled and the thief was not much hurt.

Policeman Flood reported that he killed a man near his home for looting. The man was not identified.

APR 24 1906 FORGER AS POLICEMAN.

The police yesterday arrested at Golden Gate Park Charles Saloris, whom they claim is a notorious forger who has been sought for for many months past. Saloris avoided a number of merchants in the Mission out of sums of money. When arrested he was wearing the badge of a special policeman and the ribbon of a member of the Relief Committee. He was locked up at the Park Station.

COLLINS IN STRIPES, RESULT OF QUAKE

Apr. 23, 1906 - *Bulletin*
Desperate Prisoner Attempts to Escape From Jailers When He Sees San Quentin Close Ahead.

George D. Collins, the perjured attorney, is in stripes, though it took an earthquake to dress him in the convict's garb. He was only taken to San Quentin after a desperate effort to escape from the sheriff on the boat. When the prisoners were let out of the jail Collins was released. A hurried search through the gloomy building in Broadway disclosed him hiding under a cot, where he had chosen to take the approaching flames rather than chance the fortunes of human justice over mine.

In the hurry of the transportation across to Tiburon, a number of the prisoners were separated from the sheriff, but the deputies rounded them up before a landing was made. When the other shore was reached Collins was the only one not accounted for, and the boat had to be held in the slip while a frenzied hunt was begun. Sheriff O'Neil had about made up his mind that the slippery prisoner had jumped overboard, when the cry went up and he was dragged from his hiding place in a dark closet. As soon as he was taken he was seized with a wild explanation and made an impromptu speech to the other prisoners. He declared stand-

alone that he would be out of prison within twenty-four hours in a suit of haberdashery and trousers. His brother criminals, that he would win their freedom or some remarkable change of the statute, hitherto unknown to lawyers. When he reached the prison no favors were shown him for Chief Justice Beatty has suspended all further stays of execution to convicted prisoners. Collins was dressed in the suit of stripes which he has fought so long and bitterly to keep off his back. The curling gray locks, which adorned his line head, were shaved close to the skull and he knew bears all the degrading marks of the convict. Yet there is one more chance for him. The writ of habeas corpus for which he applied about two weeks previous to the earthquake is still undecided. Final argument has been heard upon it, and Judge Murray will decide it when the Superior Courts resume business promptly at 10 o'clock tomorrow morning.

Fire Department Locates.

Headquarters of the San Francisco Fire Department.—The Fire Marshall and Fire Commission have been opened at 447 Fillmore street at the residence of President Wreden, at the Fire Commission.

JUDGES AND LAWYERS MEET

Apr. 23, 1906
They Discuss Court Proceedings and Rebuilding of the City.

Chron.
The Judges and the lawyers met yesterday at 1509 Fillmore street to resume their work preparatory to the opening of the courts. Judge Charles W. Black presided, with John W. Smith as secretary.

District Attorney Langdon of the committee on awarding headquarters reported that several places had been considered, but that time was desired for further consideration. The committee was instructed to report at 10 o'clock tomorrow.

Judge Murasky asked that a place be provided for the detention and examination of the insane. Several proposals at the Presidio and Golden Gate Park had been submitted.

Attorney-General U. S. Webb of the committee on legislation reported that the suggestions of the body had been limited to Governor Pardee for consideration in the latter's call for a special session of the Legislature. The Governor, he said, would not issue the call for a day or two, and in the meantime more conferences would be held.

Harold McKim was added to the committee on legislation. Sanford Edgenbaum of the committee on removal of the records of the Board of Supervisors reported that the records of the Board of Supervisors had been removed to the vault in the Masonic Cemetery. The others would be suitably placed as soon as practicable.

Notice was given that the Superior Court had signed an order extending the time to plead for thirty days from the 1st, and the County Clerk had been instructed not to issue any orders in civil cases for a corresponding period.

Reuben H. Lloyd introduced the subject of the rebuilding of the city. He said in part: "We want to see the people begin to build up the city again. It is impossible to secure iron, steel and other building material for large structures. I think it would be a good idea to have the Supervisors pass a permissive resolution allowing business men to erect wooden structures, not exceeding three stories in height, within the city limits."

J. J. Meyer said that this was the most vital question that had occurred since the fire. It should be debated and not acted upon hastily. In his opinion, to adopt such a course would be fatal to San Francisco. If wooden structures were permitted within the city limits the experience of 1865 would be repeated in this city. At that time there was a series of fires. Now, he said, was the time to widen and extend the streets in the heart of San Francisco and to build dead lines between which fires cannot spread, and the time to extend the Park Panhandle to Van Ness avenue. There were other ways in San Francisco besides those in the latter business section. There are Van Ness avenue, Fillmore street and many others. These could be used at the present.

Attorney-General Webb said that the matter was of so much importance that further discussion should be postponed. It was decided to take the matter up again at the meeting of the committee tomorrow morning, and the following were appointed a committee to report on this line: Reuben H. Lloyd, J. J. Meyer, A. Heintzman, Judge J. A. Connelley, Judge Carroll Cook, A. N. Brown and John Charles W. Slack. The representatives of the courts were also at the same place this

COLLINS LANDED IN SAN QUENTIN

Apr. 24, 1906

George D. Collins, of all the many others who felt the force and suffered the effects of the earthquake, suffered something which years of lawing could not blunt, and that was a convict's stripes. Collins has been landed safely at San Quentin, but only after making a last desperate attempt to escape from the Sheriff on the boat.

In the general rounding up at the Broadway jail when the prisoners first were removed, Collins had hidden under a cot, thinking to escape in the hurry. He was discovered and finally brought to the front for San Quentin. When the boat reached the slip Collins had once more evaded his conductors. He was at last discovered in a closet and finally placed behind bars at San Quentin, where he will be upon the same footing with all other convicts, with shaven head and suit of stripes.

COURTS FIND NEW QUARTERS

Apr. 24, 1906

A meeting of the bench and bar was held yesterday morning at 1809 Fillmore street. Former Judge Slack presided.

It was decided that all twelve Superior courts should take temporary quarters in the Temple of Sheriff Israel, California and Webster streets. It was advised also that the County Clerk establish his office either at that place or in the immediate vicinity.

The Superior Judges met without delay. There were present Presiding Judge Graham, Judges Seawell, Murasky, Hubbard, Dunne, Coffey, Lawlor and Cook. The court organized, each department being assigned to a separate division of the nave. Presiding Judge Graham announced his intention to be at his quarters every morning at 10 o'clock for the transaction of business, such as the assignment of cases, signing of orders and so forth. It was arranged that Judges Cook, Lawlor and Dunne should proceed at once with the trial of criminal cases. Judge Coffey will proceed with the work of the Probate Court.

Judges Graham and Murasky are handling lunacy cases. The insane ward of the Emergency Hospital is situated at Fillmore and Hayes streets. The judges transferred a number of insane yesterday morning to asylums.

Judge Murasky announces that this morning, in all probability, he will decide the case of George D. Collins on habeas corpus. Collins is now in San Quentin.

A vote of thanks was tendered the Congregation Sheriff Israel for the loan of the temple. Inspector of Buildings Hogan was sent to examine the structure and pronounced it perfectly safe. The only damage done by the earthquake was to the cornice.

The judges will meet again at 11 o'clock this morning. County Clerk Mulerey and Sheriff O'Neil are also located at the Temple Sheriff Israel.

The Police Courts are to be established in some flats on the northwest corner of Webster and California streets.

The Justices' Courts are to hold forth in the Pioneer garage, corner of Octavia street and Golden Gate avenue. Law Librarian Dowling is appointed a committee of one to collect scattered law books and turn them over for the use of the courts.

CITIZENS' POLICE TO GUARD CITY

Apr. 24, 1906

Plan to Form Compact Organization for Patrol Work. *Chron.*

Steps have been taken to form an auxiliary police force to assist in guarding the city. The following notice was issued yesterday:

"The Mayor has appointed a committee to establish a citizens' police auxiliary to assist in protecting the residence portion of our city."

"In some sections citizens' committees have already been organized. Such committees are earnestly requested to maintain their organizations and to report its membership at the earliest opportunity to the headquarters of the police committee, Franklin Hall, Fillmore street, near Bush, for the purpose of re-registration."

"At the earliest possible date meetings will be held in the various sections of the city and organizations already formed will be filled with the general organization, and new organizations will be formed in sections where none have been formed. This is most important and the hearty cooperation of the citizens in protecting the unburned residence portion of our city is demanded and expected."

"The object of the committee is to form a full and harmonious organization having control of the citizens' police throughout the city and be maintained only while the conditions demand it."

"CITIZENS' POLICE COMMITTEE."

"By H. U. Brandenstein, Chairman."

WANTON MURDER BY THE GUARDS

Apr. 24, 1906

H. C. Tilden of Relief Committee Slain and Two Men Wounded by Citizens' Patrol Squad. *Chron.*

H. C. Tilden, a member of the General Relief Committee, was shot and killed by a squad of the citizens' patrol shortly after midnight yesterday morning at the corner of Guerrero and Twenty-second streets as he was returning with a party of assistant workers to his automobile from Menlo Park.

Three men are under arrest charged with the commission of the act by which Tilden met his death and two of his companions, R. G. Seaman, acting lieutenant of the second company of the signal corps, and Hugo Altshul, were wounded. Their names are R. S. Roydon, an inspector of the Pacific States Telephone Company; George W. Smith and Malcolm T. Nance. The police have turned them over to the military authorities and they are being held at Fort Mason.

The car in which Tilden met his death was flying the Red Cross flag at the time and he had the insignia of the relief work pinned about his arm.

Lieutenant Seaman says that Tilden was acting as his own chauffeur. They left Menlo Park at 9 o'clock Sunday evening. At Twenty-eighth and Guerrero streets they were challenged by the patrol, but on shouting "Red Cross" they were allowed to pass without being stopped. At Twenty-fifth street they were challenged by the second line of the citizens' guard, but these men saw the Red Cross flag and did not bring them to a halt. As they neared the corner of Twenty-second street at a rate of fifteen miles an hour they saw six men standing in the middle of the street, who separated as they approached, but did not challenge them. But when within a few feet of these guards, Seaman claims, they opened fire without warning. The shots that were fired from in front took no effect, but the guards continued the warning discharge of their rifles as the car they had not challenged shot by. Tilden was shot and almost instantly killed. Another bullet struck Seaman in the back, its force was spent and it lodged in his cartridge belt. A third shot wounded Altshul in the face.

This fatal abuse of authority on the part of the guards has aroused the indignation of every man who is engaged in the relief work, and immediate steps are being taken to prevent the repetition of such wanton use of firearms by the patrol, and the sacrifice of life as the price of freedom from the vandalism of thurs.

Tilden was a well-known commission merchant, and his residence was at 2636 California street. He had just taken his three children and a nurse from the fourteen-mile House.

THE HEROIC WORK OF SUPERINTENDENT FRANK A. LEACH AND THE

Apr. 24, 1906 MINT EMPLOYEES

Daily News

smell of powder, the deeds of daring performed by comrades all combine to bring out the best there is in a man but to fight fire for hours in a sea of flame, coupled up in a building with a certainty of death in its most horrible form if the efforts to save that building proved futile, as in all human probability they would, that was a situation demanding the courage of the highest character and every man of the one hundred and forty-one has fairly earned the admiration of mankind. JOHN T. BELL.

Editor Enquirer: The names of Superintendent Frank A. Leach and the one hundred and forty mint employees and one hundred soldiers whose heroic efforts saved the San Francisco Mint from destruction in the sea of flame which swept over San Francisco last Wednesday should be preserved in a bronze tablet suitably placed in that building. Surely never was witnessed nobler performance of duty under conditions calculated to stamp the stoutest heart. In battle the sight of the flag, the

BANK DOORS SOON TO SWING OPEN

Apr 24 - 1906 Chronicle
Financiers Prepare for Work—All Concerns Loyal to San Francisco.

No San Francisco bank will move to Oakland or anywhere else outside this city and county. Not only that, but all of them will be open and doing business—and this quickly.

The commercial and savings banks held separate meetings and got down to the work of re-establishment with an energy that was most significant of the spirit of the New and Greater San Francisco. Their first action was to deny and denounce the removal rumor.

It has been proposed that Union square be cleared and a temporary structure of corrugated iron erected. In this all the commercial banks could find quarters and the clearing-house be placed in the center of the great financial aggregation. Another proposition is that the banks make use of the building of Calvary Presbyterian Church, corner Fillmore and Jackson streets. The Union-square proposition seems to be the popular one. It is stated that one of the foundries has sufficient corrugated iron on hand for the proposed purpose and that steel may be secured for the structural work.

FINANCIAL FAITH.

Another evidence of financial faith in San Francisco is shown in the fact that the Humboldt Savings Bank will proceed with the construction of its building on Market street as though nothing had happened.

The fact that the banks have asked the Governor to extend the holiday for thirty days is not due to any lack of money, but in the exercise of a due precaution to protect themselves and their depositors. There are millions of dollars in London and New York to the credit of the San Francisco banks. There is also over \$200,000,000 of coin in the vaults of the branch Mint in this city and \$175,000,000 in the vaults of the Sub-Treasury on Commercial street. Telegraphic transfers could be drawn on these large sums deposited here and the money would be ready for immediate disposal.

Among the causes of delay is the danger in opening the vaults before they are entirely cool. The contents of several vaults that passed through the fires in Boston and Chicago went up in smoke because of being opened too soon, and it is desired to avoid an additional catastrophe in this city. Then, again, the books and papers of the banks are in their vaults, and it would be impossible for them to undertake to do business on anything like a systematic scale without their records.

Shipments of structural work are now on the way. Other banks will be equally enterprising.

At the meeting of the bankers yesterday it was suggested that arrangements be made to pay depositors small checks, say for \$100, \$200 or \$300. One banker protested that some depositor not having one of these amounts in his credit might present a check. A veteran banker put this objection to flight by stating that he knew every depositor of over \$200 with his bank. The proposition to accommodate depositors with small amounts with which to meet immediate wants was held in favor.

MEETINGS OF BANKERS.

The representatives of the commercial and the savings banks met at the residence of Mrs. Eleanor Martin, corner Buchanan street and Broadway. Each assembled in different rooms. There was a throng of interested persons at the entrance.

E. B. Pond of the San Francisco Savings Union presided over the meeting of the savings banks, with W. E. Palmer of the Humboldt Savings Bank acting as secretary. It was announced that never before were the banks of the city in so stable a condition. There was an abundance of money in the city and at the command of the banks to meet all obligations and to rebuild the city. It was decided to act in harmony and concert with the commercial banks.

Word was received that Bert Clark of the National City Bank of New York, one of the largest institutions of its kind in America, was in Chicago and would come here by special train to arrive to-day. Communications from other banks expressed their desire to do all to their power to assist in the building up of a New San Francisco. The Eastern bankers expressed themselves as having great faith in the future of San Francisco and California.

The following were appointed a committee to act in connection with the commercial banks with a view to opening up and resuming business: Richard M. Tobin, Elberta Savings Bank; A. H. R. Schmidt, German Savings and Loan Society; J. A. Hooper, Mutual Savings Bank; S. L. Abbott, secretary of the Mutual; A. N. Brown, Savings and Loan Society.

The commercial banks met, with Homer S. King, president of the clearing-house, presiding, and P. E. Bowles of the American National as secretary. President Harriman of the Southern Pacific Company was present at the conference. In reply to some expressions of appreciation for the services and aid rendered by the Southern Pacific, Harriman replied that this was no time for thanks, but for action. He said that he desired to do all he could to assist San Francisco in her emergency. The railroad magnate said that he was going to remain here until the crisis had passed. He was loudly applauded by the usually staid bankers.

The following were appointed a general committee:

late plans and arrange for a resumption of business: Ignatz Steluhart, Anglo-Californian; M. L. Lippman, Wells-Fargo and Nevada National; T. B. Anderson, Bank of California; C. K. McIntosh, San Francisco National; Wellington Gregg, Crocker-Woolworth. The following were appointed a committee on building: S. G. Murphy, Henry T. Scott, I. P. Moulton, James K. Wilson, Frank J. Symmes. The committees are expected to report at as early a date as possible.

The committees will assemble at 11 o'clock this morning.

PLENTY OF MONEY IN MINT.

According to Superintendent Leach of the branch mint there is an ample supply of money in the vaults of the Mint to tide San Francisco over the present period. The collapse of the Mint for the fiscal year had been about completed when the earthquake and fire shut down the plant. The damage to the building itself is slight, only one or two rooms being touched by the flames. Before the money can be used, however, it will be necessary for the financial interests of the city to organize and establish themselves in temporary quarters. The Mint officials have been instructed to turn over money to banking officials by Secretary Shaw. Speaking of conditions at the Mint yesterday Superintendent Leach said:

"The Mint suffered practically no damage as a result of the earthquake and fire and the men have been at their posts ready for business since Wednesday. We have in the vaults of the Mint an ample supply of money; in fact, we have more money than San Francisco needs. Secretary Shaw has instructed me to turn over money to banking institutions whenever needed. So far there has been no demand for money."

"I have conferred with all of the representative bankers both here and in Oakland and they are one and all as anxious as we are to have money transferred promptly, and this will be done as soon as some sort of financial system is established by the commercial and banking interests."

The early reports of shooting and attempts to break into the Mint were pronounced as false. The Mint has at no time been in danger from attempted looting. No troops are stationed there, and the Mint is guarded by its regular force of special policemen.

Postmaster Flak is prepared to cash all money orders. This will afford much relief to those persons who are able to secure remittances from friends in the East and at other points.

COLLINS IN AND OUT OF PRISON

Apr 24 - 1906

The laws technicalities have not flown from the fertile brain of George D. Collins, the perjured attorney. Herded on a tugboat with half a hundred other convicted prisoners from the County Jail he was steamed across the blue waters to the San Quentin Prison wharf, where the jail authorities figured that they would have him to serve out his fourteen-year sentence for perjury.

In the hurry of the transportation across to San Quentin a number of the prisoners were separated from the Sheriff, but the deputies rounded them up before a landing was made. When the other shore was reached Collins was the only one not accounted for, and the boat had to be held in the slip while a frenzied hunt was begun. Sheriff O'Neill had about made up his mind that the slippery prisoner had jumped overboard, when the cry went up and he was dragged from his hiding place in a dark closet.

Warden Lidsar, who was at the wharf to receive the prisoners, was a-pled and button-holed by Collins, who tripped lightly up the gang plank to the side of the troubled warden. Collins opened: "Mr. Warden, I have nothing against your institution as a penal establishment, but I do not object to your receiving me without the proper papers. I am legally confined in the San Francisco County Jail. I cannot be legally confined at San Quentin unless the officer bringing me here hands you a commitment from the Superior Court of that county wherein I am given into your custody."

That was the sum of Collins' speech, and it was a winner. The officer bringing the prisoner over had no commitment for Collins as Judge Burnett, before whom he was convicted, was beyond reach at Santa Rosa. The matter ended by the tug carrying the technical gentleman back to San Francisco.

COLLINS MUST GO TO PRISON

Apr 23 - 1906

George D. Collins, convicted of perjury and under fourteen years' sentence in the penitentiary at San Quentin, must, with a number of other prisoners awaiting the perfection of papers in appeal, don stripes.

After the meeting for restoration of the judiciary Friday the Superior Judges were called together by presiding Judge Thomas Graham. One of the first questions taken up was as to criminals who have already been sentenced and who have been granted stays of execution for definite periods.

Judge Cook suggested that no further stay be granted and an order to that effect was made and signed by the three Judges of the criminal department, Lawlor, Dunne and Cook. It will be necessary to secure the signature of Superior Judge Burnett of Santa Rosa to make the order effective in the Collins case, as he was the trial Judge, but that will be a mere formality and Collins will go across with the other prisoners of his status now held by the Sheriff.

In the case of Cordelia Botkin, the convicted poisoner, this order does not apply. Her case is now on appeal to the Supreme Court and she will remain in the custody of the Sheriff until the appeal is disposed of.

POLICE ARE AGAINST MILITIA

Apr 25 - 1906

Chief Dinan Explains Why the Guardsmen Cause Trouble.

Exam

"Captain of Police Martin was warned by militiamen in his section last night that there must be no lights," said Chief of Police Dinan yesterday. "He told the guards that the order was that lights should be permitted until 10 p. m., but the guard was obstinate, and the captain put in the evening without lights."

"It is just such little incidents as these that make the militiamen undesirable for patrol duty and has called forth a vigorous protest from the citizens."

Chief Dinan announced that the reports of clashes between police and national guardsmen were greatly exaggerated. The officers of the department are taking their regular details from the captains of their respective companies and are doing patrol duty in conjunction with the regulars, and it is believed that before the close of to-day every militiaman will be withdrawn from duty on the city streets.

"As far as the police department is concerned," said Chief Dinan, "we have endeavored to co-operate with the regulars in patrolling the streets and preserving order. We have had no clash with militiamen or citizens' patrol, but there have been numerous complaints of over-zealousness of guardsmen by private citizens, and for that reason we have deemed it advisable to request the withdrawal of all bodies of troops not acting under the direct command of General Funston."

OPEN VAULT CAUSES FIRE

Apr 25 - 1906

Workmen this evening at 5 o'clock opened the vault of the Fireman's Fund on upper California street in order to take out the records kept there. As soon as the vault had been opened the cold air rushing in set the entire vault on fire and destroyed all of the records which had been preserved there. A frantic effort was made by the workmen to stop the blaze from its destructive work, but these efforts were futile. All of the papers and books which had been preserved through the conflagration of Wednesday, Thursday and Friday were lost in a few minutes.

CITIZENS WILL NOW PATROL THE UNBURNED AREA

Chicago Detectives Arrive to Aid the Authorities.

DINAN INFORMS THEM THEY ARE NOT NEEDED

Easterners Are Thanked and Then Depart for Home.

Daily News -

The regime of an armed special police force, appointed immediately during the first hours after the earthquake, is at an end. Yesterday soldiers, acting under orders from General Funston, arrested every special policeman they came across, and if he was armed brought him to the Turk-street school, where his weapon was taken away from him. He was then released, after being informed that he had no longer the law's sanction in carrying a gun, and that he would be arrested and punished if one was found in his possession.

A carefully organized citizens' patrol is being turned to do police duty in the unburned section of the city. The city has been divided into sixteen districts, and over each district a squad captain will preside and receive reports from the men. The members of this volunteer force are to be from among the residents of the district they are to patrol.

Rumors are heard about the street to the effect that a reduction of the regular police force is contemplated to take place as soon as things settle down to normal conditions. This was denied yesterday by both Chief Dinan and President Fubler of the Police Commission. Mr. Fubler stated that as soon as the military is withdrawn the Police Commission will ask for more men to bring the total number up to between 150 and 200. There are now 600 patrolmen on the force.

Chicago has added to the relief sent to San Francisco by sending here eleven of the most experienced men of her police department. The party, which arrived yesterday morning consisted of Lieutenant John D. Hartford and Detective Bergeant John Duffy, John Tobin, Peter Fitzpatrick, William McGrath, Edward Flaherty, Anthony Nagle, T. D. Roche, James Fitzgerald and Michael Wagner. John M. Collins, General Superintendent of Police of Chicago, in a letter of introduction to Chief Dinan, placed the men under him to act under his orders in whatever emergency might arise.

Chief Dinan, after thanking the delegation informed them that the civil and military authorities have the situation well in hand. The Chicago officers departed for home last evening.

The Harbor Police station has been established in a portion of the Alhambra Bank, and yesterday the Police Courts opened in the Jewish Synagogue on

Webster street. The Superior, Appellate and Supreme courts will open to the Jefferson Club rooms.

Chief Dinan was notified on Monday that an order had been issued by the military authorities to shoot the wearer of policeman's star No. 15 on sight and also to arrest all special officers wearing stars with the number over 100. The chief wrote to General Funston asking an explanation, and this morning received a reply from Colonel Marion P. St. John of the Twentieth Infantry, with headquarters at Portsmouth square, which reads:

"Regarding the information as to order to shoot Policeman No. 15 on sight and to arrest all special police over 100. These orders were in force when I took command of this district. Do you desire all special police over 100 arrested? If so, please let me know at once."

"The chief replied that the regular special police stars did not bear numbers, but letters, and if those wearing stars with numbers had been committing any offenses they should be arrested."

The report at Portsmouth square yesterday was that the wearer of star 15 had killed a woman and cut her ears off.

Detective Collins' star is No. 15, and he lost it a few days ago. He reported his loss at headquarters and was provided with another star with a different number.

JUSTICE LUCIEN SHAW'S WIFE IS SAFE AT BEACH

Husband in Los Angeles, Having Given Up Fruitless Search in Despair.

Mrs. Lucien Shaw, wife of Justice Shaw of the Supreme Court, is safe at the life saving station at Fort Point. The glad news was communicated to her friends yesterday, and by them to her husband in Los Angeles, whither he had gone after giving up the search for her in San Francisco.

On Wednesday morning Judge Shaw had started north on a train, but learning of the spread of the flames he returned. On his arrival Thursday morning he found his apartment in Post street burning. Mrs. Shaw had fled with other refugees. For two days the Justice wandered through the parks and over the hills seeking his wife and he finally gave way to despair. His last hope was that she had gone to Los Angeles, and he was heartbroken when he arrived there and found no news of her.

Regulars to Take Place of the State Militiamen

Apr. 25 1906

Daily News -

The sudden influx of refugees from this city into Oakland has spurred the military officials on to precautionary measures, and it has been decided to put the city and adjacent places with 1,000 regulars from the Vancouver barracks. By tomorrow 600 men of the 14th Infantry and 400 men from the 17th and 18th Artillery will be in active command of the situation.

The letter written by Mayor Schmitz in which the action of the State troops in slaying so many San Francisco pri-

visitors is criticized would indicate that citizens desire a cessation of the slaughter of persons by the militia. In view of the fact that they are about to be recalled the State soldiers last night determined to make the most of it. One entry in an outlying district of the Mission forced a city police officer to travel four blocks out of his way. Another sent a shot after a harmless Chinese, while still another shot a light out through a window in a house at the corner of Fillmore and California—and all "just for fun."

GREATEST OF BUSINESS OPPORTUNITIES

"Right here today lies the richest opportunity for an energetic business man in America."

These were the words of J. Bassford, manager of Joseph Tuleben and Company, wholesale merchants, at 578 Mission street, as he stood in the ruins of San Francisco Tuesday morning.

"Within the next five years," continued Mr. Bassford, "the new San Francisco will establish a building record that will astonish the world. If you don't believe it try to buy a block of real estate around here anywhere. You'll find you can't get it for love or money. San Francisco will rebuild, and do it quick. What's more, she'll do it better. The next San Francisco will be carbon copy proof and as near fireproof as possible. We have learned our lesson, and our next water system will include huge mains connecting with the whole Pacific Ocean, ready to answer the call of immense pump-

ing engines. The destruction of San Francisco has not only taught San Francisco a lesson, but has awakened other cities and will lead to improvements in construction all over the country."

"Just to show you that I really believe what I say about the prompt rebuilding of this city," concluded the optimistic wholesaler, "look at this," and he exhibited a carbon copy of an order, dated Saturday, for \$5000 worth of goods. With these the bustling merchant will set up in business at 2562 Pine temporarily.

"And there'll be a lot of business right along beside me," he said; "San Francisco has been the great warehouse of the West, whence the supplies of the inland towns have been drawn, and there's not any reason on earth why she should not continue to be. There's got to be Western warehouses somewhere, and San Francisco is going to be the place."

AFTERMATH

While the business of the work-ers at the depot is being delayed by the authorities, camp life is being made there. There are many people who are finding bits of red upon their arms and riding about in autos and cars who are simply rights. An effort will be made to return by this in a few days, and only those who are engaged in the work will be permitted to wear the red cross.

Partially building people are requested to keep out of San Francisco. Chief Dinan says that workers are the ones who are wanted here.

While dynamiting of the Emporium building was in progress yesterday afternoon, the man Harrison was struck on the foot with a brick which flew clear from the blast in Howard street.

No more vessels loaded with provisions will be permitted to leave San Francisco until there is an abundant supply to feed the present population on hand. This is the authority of the government officials.

Every conceivable vehicle is being used to transport mails to and from the ferry station and the new post-office. Yesterday a dirt wagon was impounded into service and delivered a ton of all from the east to the central postoffice.

All employees of the telephone company who are surviving at 301 Steiner street are being placed at work.

A flock of albatrosses was brought about by shock.

Good work is being done by the first regiment of the National Guard, which has established its headquarters at Market and Duane squares. A well-working commissary with supply stations in a radius of several districts have been established. This afternoon at 4 o'clock there will be a band concert under the leadership of Bandmaster George Hollister.

WATER FRONT IS IN GOOD SHAPE

The great earthquake and conflagration left the water front, the wharves, shipping and much warehouse space practically undamaged, and this part of San Francisco's business will be that business is not much injured. Not a single vessel was injured, and only two or three wharves were damaged, and those by the falling of the sheds. The approach to the wharves may be put in good shape again very quickly.

The facts here mentioned are not generally known throughout the city. Thus, the ferry depot tower was damaged by the tremor, and at that it

was feared that it might fall, but the conditions at the big depot have remained good and hundreds of thousands of people have come and gone through the building. Ships have also come and gone at all the wharves, and more business is being done than for weeks past. Liners, unmindful of the tremor and fire, continue to discharge and load freight. Tramp steamers are preparing to go about their business, and a fleet of sailing vessels only awaits assistance from stevedores and longshoremen to be in regular service again.

President Spear of the Harbor Commission and Chief Wharfinger Welch are on duty, and find little difficulty in transacting their business.

The military authorities this morning returned to the State Harbor Commission full authority over docks, wharves and piers. At the same time the two departments will continue as heretofore to assist one another in every way calculated to expedite the unloading and handling of food supplies. With the assistance of the regulars assigned to duty along the water front district and the jacksies from the Boston and other vessels of the Pacific squadron, perfect order has been maintained in this, the most congested portion of the city.

The liner Mongolia will be ready to sail for Hongkong via Yokohama within a week. She had been scheduled to sail yesterday. She will carry a full cargo of cotton, iron rails and domestic goods. She will not, however, carry any foodstuffs or anything of any kind that is necessary for the maintenance and building up of the city.

A MILLIONAIRE IN BREAD LINE

Apr 25 - 1906
L. W. Hellman Re-
ceives Two Loaves
After Long Wait.

Jewels Strewn in Ruins Among Loot of Thieves.

Daily News
SAN FRANCISCO, April 24.—Stand-

ing in any of the many breadlines one may see curious and diversified humanity in all its forms. Friday a long line stretched from one of the relief stations and moved slowly, slowly, upward, as the foremost received his ration and stepped out. One man, richly dressed, and known all over California as one of the wealthiest bankers of the United States, stood in his place, supporting himself with his gold-headed cane, shifting his weight from one foot to the other, as he waited for his turn to receive food for his family. When he reached the head of the line, and the soldier ordered him roughly to take his two loaves of bread, the old gentleman, with a smile of satisfaction, took his two loaves under his arm and stepped contentedly along the street toward his ruined home. It was L. W. Hellman, president of more banks and trust corporations than any other man on the Pacific Coast. The man who made \$10,000,000 coups with as little effort and as much zest as the most gloriofied apostle of Francis Finance. He laughed, as he said, that to receive these two loaves of bread gave him more satisfaction than to sell a whole city street railroad.

When the fire reached Mission street and began devouring the buildings between the Mint and Postoffice, a mail car on its way from the ferry to the Postoffice caught fire, before the men could reach their destination. They jumped to the ground, calling for help, and began to shove the car back toward the Mint. As the car responded to the heroic efforts of twenty or thirty men, the roof began to blaze and the glass cracked and fell out of the frame, and it seemed as if all their toil would be in vain. At last they reached the upper corner of the great Mint building, and they began to throw sticks from the blazing car to the pavement, calling upon the Mint employees to assist them. These men rushed out and carried the sacks into the basement of the Mint, and all were saved with the exception of two sacks of second-class matter that happened to be on the front platform of the car, and which were overlooked by the heroic mail clerks. The incident showed the devotion and pains taken by all government employees in all parts of the city to save government property.

The most doleful, dismal, harrowing and ghostly sound that can be heard is that of a swinging iron cornice that flapped weird and uncanny against the ruined brick walls yet standing. They killed the air with their terrible clanking and sounded like the groan of some ghoul of disaster, rattling over his terrible handwork. They destroy eleg and irritate the waking poet all endurance. Around one area, where are encamped several men and women the men of the party have spent almost their entire time for several days in efforts to remove this horrible reminder. In order that they may, with less hurried nerves, pass one comfortable night. In the midst of the ruins, away from the noise of the trampling hundreds that pour continuously down Market street, no sound is heard but this buzzard-like reminder of the holocaust that has ruined the greatest, the noblest, the busiest, the most beautiful city on the shores of the Pacific Ocean.

Out at Portsmouth Square some goods and chattels have been gathered and piled around the Stevenson monument, where they are guarded night and day by police and soldiers. The pawnshops that once faced the square on the Kearny street side have been a rich field for the searchers for loot. Some of them were not entirely consumed, and in the ashes may be found gold and silver ornaments, and all sorts of valuable remains.

Four Chinamen walked along the ruins of Kearny street one evening and one continued to dart from the group into the ruins and come back, smuggling something beneath his blouse. At last he was seen by one of the guards, who halted the group and demanded that they walk toward him for examination. The little Chink started to run, whereupon the guard pulled out a large revolver and fired, striking the Chinamen on the shoulder. He dropped to the ground, and was grabbed and jerked to his feet and dragged to a standing position and he, with the other three, was marched to the guard house. There, with arms extended and quaking in every limb, the rough guardmen jerked their blouses open, and found all manner of valuable loot concealed in their flowing garments. Though the little Chinaman was badly wounded and suffering terrible pain, he was shackled to his three brethren and bundled into the wagon and sent off to jail, his companions giving him what they understood to be first aid to the injured. That he was not instantly killed was due simply to the bad aim of the special officer that fired at him.

Some pathetic little piles of ashes are scattered over Union Square. Here and there on the grass are little bundles of sheet iron and hoops that are all that remain of some lady's trunk or some traveling man's sample ones. Most of them come from the St. Francis. As soon as they had cooled sufficiently each of them was searched for the remains of valuable jewelry. Owners of them had dragged them to the lawn, thinking they might be safe there, and when they found they must be opened they took what- ever of value they contained, when they began their onward march for another refuge. Bits of fancy toilet articles, bits of ladies' dressing cases, remains of what was once a complete architect's draughting set, what had once been a case of beautiful table silver, and fine china painting outfit of some lady of fashion can be seen in some of these little parks. Hand-painted dishes, with evidence of care and artistic work, lie broken in the ashes, and the twisted and blackened remnants of silver buttonhooks, books of combs, helpins, tiny penholders, and even pieces of molten gold and silver have been raked out from these miniature ruins. Many a lady who occupied an elegant boudoir in the St. Francis might identify her belongings in some of the white remains of the Union Square, could she reach the place, and search for them.

BODIES FOUND IN RUINS NUMBER 333

Apr 29 - 1906
Remains of Four Members
of the Johnson Family
Are Found.

Three hundred and thirty-three bodies, victims of the recent earthquake and fire, have been found now by Coroner William Walsh and his assistants. Many of the dead have been identified. All that were buried in the public squares during the days of the fire have been removed to the several cemeteries of the city. The Coroner's data is fairly accurate, though his work and his report are not yet completed. Among the bodies identified Friday were four members of the Johnson family, formerly residing at 281 Henry street. The building there collapsed, burying in its ruins Nathan W. Johnson, his wife Mrs. May J. Johnson, and two-year-old son, Harold Johnson, and Edward H. Johnson, Nathan's brother. Fire later destroyed what little was left of the building. The charred remains of the dead were buried in the Laurel Hill Cemetery. They were exhumed yesterday and identified by Lawrence W. Johnson, brother of Nathan and Edward. Another body identified Friday was that of Bertha Fubler, who formerly lived at 1126 Howard street. She was killed by falling walls on the day of the earthquake.

60639 PERSONS DEPENDENT ON CHARITY FOR THEIR FOOD

Census Taken for Harriman
to Enable Him to Gauge
Conditions Here.

46,177 ARE STILL
LIVING IN TENTS

For the information of President F. H. Harriman and Traffic Director J. G. Stubbs of the Southern Pacific, General Passenger Agent James Hershbach Jr. and Assistant General Passenger Agent Paul Shoup have had a census taken of the persons in the camps in this city. It shows that on June 1st 13,085 persons were in the permanent camps and 29,072 in the temporary camps.

It also shows that on May 31st railroads were supplied 41,236 persons and free meal tickets given 3,162 persons.

The report shows that there are 2,383 persons in the Oakland and Alameda permanent camps and that on May 31st railroads were issued to 15,241 persons in Oakland, Alameda and Berkeley. In Los Angeles there are 600 San Francisco refugees, in Sacramento 120, in Vallejo 212 and in Stockton 25.

The June 1st census of the permanent and temporary camps in this city is as follows:

PERMANENT CAMPS UNDER MILITARY CONTROL	
Camp No. 1—On flat near the Presidio Gate	1,945
Camp No. 2—Tennessee Valley, 17 miles	600
Camp No. 3—Fort Winfield Scott, Presidio	1,800
Camp No. 4—Chico Valley, 17 miles	1,800
Camp No. 5—Hollister, 17 miles	2,300
Camp No. 6—Hollister, 17 miles	2,300
Camp No. 7—Hollister, 17 miles	2,300
Camp No. 8—Hollister, 17 miles	2,300
Camp No. 9—Hollister, 17 miles	2,300
Camp No. 10—Hollister, 17 miles	2,300
Camp No. 11—Hollister, 17 miles	2,300
Camp No. 12—Hollister, 17 miles	2,300
Camp No. 13—Hollister, 17 miles	2,300
Camp No. 14—Hollister, 17 miles	2,300
Camp No. 15—Hollister, 17 miles	2,300
Camp No. 16—Hollister, 17 miles	2,300
Camp No. 17—Hollister, 17 miles	2,300
Camp No. 18—Hollister, 17 miles	2,300
Camp No. 19—Hollister, 17 miles	2,300
Camp No. 20—Hollister, 17 miles	2,300
Camp No. 21—Hollister, 17 miles	2,300
Camp No. 22—Hollister, 17 miles	2,300
Camp No. 23—Hollister, 17 miles	2,300
Camp No. 24—Hollister, 17 miles	2,300
Camp No. 25—Hollister, 17 miles	2,300
Camp No. 26—Hollister, 17 miles	2,300
Camp No. 27—Hollister, 17 miles	2,300
Camp No. 28—Hollister, 17 miles	2,300
Camp No. 29—Hollister, 17 miles	2,300
Camp No. 30—Hollister, 17 miles	2,300
Camp No. 31—Hollister, 17 miles	2,300
Camp No. 32—Hollister, 17 miles	2,300
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Camp No. 39—Hollister, 17 miles	2,300
Camp No. 40—Hollister, 17 miles	2,300
Camp No. 41—Hollister, 17 miles	2,300
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Camp No. 93—Hollister, 17 miles	2,300
Camp No. 94—Hollister, 17 miles	2,300
Camp No. 95—Hollister, 17 miles	2,300
Camp No. 96—Hollister, 17 miles	2,300
Camp No. 97—Hollister, 17 miles	2,300
Camp No. 98—Hollister, 17 miles	2,300
Camp No. 99—Hollister, 17 miles	2,300
Camp No. 100—Hollister, 17 miles	2,300

...the house, little damage was done by the earthquake. In most of the houses the plaster did not crack. The shock woke me, but when the shaking had ceased and I saw no damage done I went back to bed and straightway fell asleep, as I had done a hundred times before after an earthquake. Before long, however, I was awakened by unwanted movement on quiet and eminently respectable Twenty-first street. There was a sound of men and boys running down the hill and much loud and excited talk came to my drowsy ears through the drawn shades of the bed chamber. Out of curiosity, I arose and peered from behind the curtain. Right ahead of me, and only three blocks away, I beheld a great pillar of fire and smoke moving in the direction of our house.

The family were roused in a hurry, and I dressed without the usual ceremonies. Before I had got downstairs, however, there was a loud knocking at the front door, supported by clamorous calls. Still in negligence, I opened the door and discovered one of the folk from the house around the corner. As we had not appeared on the street the neighbors feared that we had been killed. Hence the urgent alarm at the door.

"Lippman's dry goods store at Twenty-second and Mission streets has caught fire," cried one neighbor. "There isn't any water and the fire is spreading in all directions."

"The Valencia-Street Hotel is all over the street and twenty or thirty people are dead in the wreck!" cried a man, coming breathlessly up the hill.

"And the Youth's Directory brick walls have sunk and may fall down at any minute," said another, joining our group. "The boys have been ordered out of the building. Every house along the line of the old Willow Creek is down."

The approaching fire concerned us most. In tumbled costumes the families residing on the hill gathered in small parties and watched anxiously the flames as they drew near. They talked in low tones of the earthquake, but no one was aware as yet of the wagon. They showed in haggard faces the care and fear that tugged at their hearts.

REFUGEES IN COLUMBIA SQUARE DURING THE FIRE



Men started at the tumble of a house, but the earthquake was over. The fire was the real danger. The people were gathered in Columbia Square during the fire.

Across Market street, next Fifth, was a sentry of the regular army stationed there to warn the people of an unbalanced wall in the next block. The Presidio had lost no time in coming with its disciplined forces to the help of the city. What we should have done without the army no one can tell.

There was a great fire near Third street; we could see the mountains of smoke, but no one knew what building was burning. To arrive at the office of The Bulletin, in Bush street, near Kearny, one had to make a detour through Jones and Geary streets. The occupants of the innumerable apartment houses in the tenement were huddled at the front doors, afraid and chattering. Cutting through Union Square one beheld guests of the St. Francis, doubtless frightened tourists, pil-

laging their way to the city. The night of the refugees reminded me of the night of the earthquake. The fire was the real danger. The people were gathered in Columbia Square during the fire.

curving knife, but was dismissed. Wednesday night none of us went to bed. We sat on the hill watching the fire. The fire was the real danger. The people were gathered in Columbia Square during the fire.

The fire was the real danger. The people were gathered in Columbia Square during the fire. The fire was the real danger. The people were gathered in Columbia Square during the fire.

HOW PEOPLE OF THE MISSION DISTRICT WATCHING THE FIRE FROM HILL TOPS.

Story of the Invasion of the Mission and the Flight of the Refugees.

April 29-1906 BY EUSTACE CULLINAN. Bulletin

The week of horror that commenced at thirteen minutes after five o'clock on the morning of Wednesday, April 18, was like a vast

We went to bed Tuesday night that morning. Wives, trembling in a world that has since passed in fear of another earthquake, away forever. At the time some of us were up and some of us were down in that world, and it seemed to me that I went downward.

damage done downtown. We thought only of the neighborhood and the imminent peril of our homes.

Suddenly, at the rear of the fire, a strong stream of water shot into the air and we halted it with a cheer. The fire had gained much headway, however, and it took the firemen another hour to conquer it. Half a square block of flats and stores in the heart of the commercial quarter of the Mission was destroyed, but the vastest conflagration that followed obliterated all recollection of this early fire, and it has not been mentioned in any newspaper excepting here.

During their own luggage hastily on trunks, expelling their departure from the city. Yet, when the damage done by the earthquake is summed up the total appears small. None of the steel frame buildings suffered from the shaking. The wooden frame buildings stood firmly except in some cases where brick foundations gave way. The greatest damage was done by tumbling chimneys. Had it not been for the devastating fire that followed, the earthquake would have been forgotten in a week.

During Kearney street I saw the fire for the first time. The second-class Windsor Hotel, a huge structure, at the corner of Third and Stevenson

ing their own luggage hastily on vans, expediting their departure from the city. Yet, when the damage done by the earthquake is summed up, the total appears small. None of the steel frame buildings suffered from the shaking. The wooden frame buildings stood firmly except in some cases where brick foundations gave way. The greatest damage was done by tumbling chimneys. Had it not been for the devastating fire that followed, the earthquake would have been forgotten in a week.

RUSHING DOWNED FROM MECHANICS' PATRIOT. AT APPROACH OF FIRE.



downed in its rapidly. The giant tower, now teetering into the church and the street beyond, burst into flames, and hurried the destruction. Meanwhile, the Mechanics' Pavilion, a huge burnt and become a great torch and it was with difficulty that the persons injured by falling masonry at the time of the earthquake, who had been taken to the pavilion, were rescued from easy death.

We saw the fire work toward Stuart street. For hours the tall masts of the Frothing Hotel, at Market and Third, stood out against the blackness of flame and smoke, and we on the hill used it as a measure of the fire's progress in our direction.

In the direction of Westwoodly, the strong summer trade wind stirring up the dust, we saw the flames in the wood, poured over the flames backward upon their track and into the region south of Market street. The children played its hopes upon the

passing.

We climbed a sand wagon and a survey from the tower of the City Street Improvement Company, at Seventh and Harrison streets, with the consent of John McPherson, president of the company, who drove out to see us in the emergency. Compared with the accommodations other people had, this transmutation effort was little short of sumptuous. There were nine men, people in our party, three families, untold. Into the sand wagon we piled as much lumber and provisions as we could. At

that a new danger threatened on those wily three children who were now in the house. It was far-
 smoking down their smoke curled

In the morning two of us set out to find him. We walked miles, but vainly, and did not recover him until next day, when we detected him in a pasture along the Corbett road.

While searching for the fugitive horse we noticed a black object moving in the trees of the Sauto forest. Thinking it might be the horse, we

maker it, but on closer approach we made out a man, peering from the edge of the forest like a dwarf. It was Jim Lyons, the lawyer.

Some of the men forced it back to Twenty-three street in the morning and returned in the afternoon with news that the fire had stopped at Twenty-four street and our houses had escaped. We cheered the messenger wildly. Until that moment not one in the party had imagined that his home could stand. Why the fire, which had leaped from street to street, in 1908 mainly killing, stopped at street 24, we still never know, but we were very

IN PRISON FOR NOBLE DEED

Apr 30 — 1906
Farther Torn From Family
For Aiding Injured
Women.

Arrested for performing what he considered an act of humanity, separated from his wife and family without even the chance of bidding them farewell, cast into prison by the civil authorities, and finally transferred to the United States prison at Alcatraz Island, to be liberated finally and restored to his loved ones, is the remarkable experience of H. J. Kinney, one of the recent disaster's victims.

Kinney, his wife and two daughters, Lottie and Lillian, aged twelve and fourteen years, were guests at the Winchester Hotel, Third street, near Market, when the earthquake occurred. He occupied room 87 on the third floor of the hotel. With scarcely a moment's warning more than two tons of brick from a demolished chimney crashed through the roof of the building and wrecked the apartment occupied by him. The two children were sleeping in a bed near that of their parents and jumped just in time to save their lives. An avalanche of brick and mortar smashed the bed on which they were lying. The distracted parents thought a cyclone had struck the city, kissed each other and prepared to die together. The shock of the earthquake over their heads realized their situation and assisted their children in quitting the shattered building.

The Kinneys started out to find shelter at 441 Geary street. They got into an express wagon in which two seriously wounded women were riding and were being taken to the hospital. There were others in the wagon, nearly a dozen in all. The horse became fatigued and fell to its knees, unable to draw the heavy load. Kinney then showed the courage and solicitude that caused his arrest. He hailed a passing automobile. The owner refused to take the injured women to the hospital. He made a motion as if to draw his revolver, declaring that he was a private auto and that the women would have to shift for themselves. Kinney, with indignation, drew a large Colt's pistol and pointed it at the man in the automobile, forcing him to admit the patient and convey them away for treatment. One police officer who witnessed the act commended the man for what he had done. Another policeman who saw the affair from a distance came and arrested Kinney.

The unhappy prisoner was not given time to explain. He was ruthlessly taken to the City Hall Station, transferred to the Hall of Justice, then to the Broadway County Jail, and finally conveyed to Fort Mason. The military authorities conducted him to Alcatraz Island. While the mother and her young children were left to shift for themselves in the midst of a city terrorized by a great conflagration, the husband and father lay helpless behind the grim walls of the military prison. After nearly a week's confinement he at last secured the aid of Deputy Sheriff William Lyons of San Francisco, who visited the island with other prisoners from this city. The deputy, faithful to his pledge, carried Kinney's heartfelt message for liberty to Chief of Police J. P. Dinan. The Chief conferred with General Funston.

In the meantime Kinney was transferred to the Alameda County Jail, where he says he was royally treated by Sheriff Barnett. Saturday last his long vigil for news from the outside world came. When shown the order of his release which had been obtained from the civil and military authorities, Kinney wept for joy. He took the first means of reaching San Francisco, aided by the police, soon reunited his wife and family in Alta Plaza, Steiner and Jackson streets. The happy reunion was solemnized with tears of joy and fond embraces.

H. J. Kinney formerly conducted a cafe at Hot Springs, Ark. He arrived in San Francisco shortly before the fire and was planning to open a restaurant on East street.

CLEARING-HOUSE OPENS TUESDAY

Apr. 30 — Chron.
Commercial Banks Will Pay
in Small Sums at the
Mint.

The commercial banks will open their clearing-house bank in the United States branch Mint at 11 o'clock to-morrow forenoon. Orders for sums not exceeding \$500 will be issued to depositors. Customers who do not need larger sums for their temporary personal relief and accommodation will be given but \$100 or \$200. Those business men who have pay rolls upon which they desire to pay installments to relieve their employees as well as themselves will be paid up to the limit of \$500. Customers of the banks will give their notes, payable one day after date, for the sums they desire. These notes will be endorsed across their face by the bank to which they are made payable and the customer will then go to the clearing-house bank in the Mint and cash the note or order. At this bank, which has for its quarters the office of the Superintendent of the Mint, the paying tellers of the commercial banks will be assembled to pay the orders when they are presented.

Millions are reported to be available for this emergency. There have been large transfers of money from New York, and it is now in the Mint to the credit of the banks. These transfers, together with the insurance money, that should soon begin to come in, will give the banks more cash than they know what to do with. The banks are expected to be able to pay their depositors in full, and they will soon have at their disposal.

It is the present intention of the savings banks to open for business at the same time the commercial banks resume. The savings banks will have a check on limiting the amount they will pay each depositor. When this limit will be has not yet been determined. It has been suggested that the savings banks start a blacklist of those large depositors who shall undertake, at the conclusion of notice, to withdraw all their deposits for purely paucity reasons. These blacklists will be posted in all the savings banks and the listed man will not be accepted as a customer by any of the banks in the future.

WOMAN CASHIER CHARGES WILLIAMS WITH FORGERY

Apr 30 — 1906
BERKELEY, April 30.—Miss Ida C. Pellock, assistant cashier in the South Berkeley Bank, is to swear to a complaint charging Harry C. Williams with forgery. It is alleged Williams forged the name of a well-known citizen to a draft on the South Berkeley Bank. He was arrested and placed in the County Jail pending the issuance of a warrant. *Bulletin*

ANIMALS FELT EFFECT OF TEMBLOR

Apr 30 — 1906
Cats and Dogs Have Wandered
Away From
Stricken Section.

BY W. W. NAUGHTON.

Many stories are told of the effect the great earthquake on dumb animals, and more particularly dogs and cats. The bartender of a saloon in the Panhandle district of the city said that the yelping of dogs and the unceasing noise made by the rattling cats of the neighborhood was the first thing he noticed after the big shake started. He said that the cats were more numerous than the creaking of the chairs and the sounds of falling chimneys.

In the Panhandle district it is remarked that cats have almost disappeared, while dogs that have wandered away from their own particular sections are more than willing to take up with new masters. They seem to need sympathy.

At the Park Police Station a well-bred fox terrier wandered in and took possession of a floor mat in the office on the morning of the quake, and has remained there ever since.

Out on Clayton street a spitz with a litter of puppies deserted her well built doghouse when the quake came and made a nest beneath the back steps of the residence. She is there still.

A woman passenger that went on the train to Montague, Cal., after the temblor, says that she had as fellow passengers a woman and a daughter who had saved a half-grown black cat. "They told me that before the quake the cat had not a white hair," she writes to her brother. "Now his hair is so mixed with white as to give it a strange appearance."

\$5,800,000 OF CITY'S CASH INTACT

Apr 30 — 1906
Treasurer Bantel Has
Money To Pay All
Employees.

The "ghoul may walk" for the city employees to-morrow. For the first time since the fire they may see some of the city's money. At noon yesterday the vault in the office of City Treasurer C. A. Bantel was opened and its contents exposed to the air.

Everything was intact. More than \$5,800,000 in cash lay on the floor of the huge safe, piled in a heap. It glittered in the sunlight and gladdened the hearts of the many spectators. All the books and records were unscathed, while \$12,000,000 worth of municipal bonds piled in their places as securely as if the City Hall were still the graceful building it was a fortnight ago.

After it had been ascertained that the contents of the vault were safe, the door was closed and the time locked. Those present when the vault was opened were W. H. Leahy, representing the Mayor; City Treasurer Bantel and his assistants and deputies.

Yesterday afternoon all the warrants for salaries were given out to employees of the Police and Fire Departments. There was considerable dissatisfaction, however, when the holders of the warrants found that they must present them to the City Treasurer before they could get any cash.

ATTEMPTS TO OPEN UNGUARDED SAFE

Apr 30 — 1906
Italian Captured While
Trying to Loot
Strong Box.

With no officers in sight and a large area of the burned district lying along Pacific street unguarded, Pietro Buffa, an Italian and former Telegraph Hill resident, decided to start in the enterprise yesterday afternoon.

He started to work on a safe lying in the ruins of a saloon on Pacific street, between Powell and Mason, and had succeeded in opening both the outer and inner doors of the strong box, and was busy on the lock of the door covering the coin apartment, when A. Lewis, who lives at 600 Blockhurst street, Oakland, who was on a slight-seeing tour of the burned district, discovered him. Lewis did not believe that the man possessed authority for opening the safe and immediately challenged him. The Italian declared that the safe was his property and that he had been authorized by the Chief of Police to open it, but he was unable to show his permit and Buffa was forced to accompany him to police headquarters.

Chief of Police Dinan, after hearing the story of the Oaklander, directed that the prisoner be turned over to Policeman Charles Brown, who took him to the Hanyan street police station. Buffa was locked for grand larceny.

CITY'S MONEY IS Apr 30 — 1906 FOUND SAVED.

The vault of the city and county at the Treasurer's office was opened yesterday and the entire amount of cash, securities and bonds that were contained in the vault, were found intact. All told the vault contained \$15,000,000, of which \$5,800,000 was in cash, \$2,000,000 in securities and \$7,200,000 in unguaranteed city bonds.

The cash in the vault means that pay day for municipal employees is not at hand. The vault was visited yesterday morning by a party consisting of Treasurer Charles A. Bantel, a number of his deputies, W. H. Leahy of the citizens' committee, representing Mayor Schmitt, and a safe expert. When the safe was finally opened the records of the Treasurer's office, which were contained in the compartment between the outer and inner doors of the safe, were found practically undamaged. Finding the inner door was shattered around on the floor, evidently struck about by the force of the earthquake.

Treasurer Bantel stated after the examination that everything was intact and that the city could begin to pay off salaries shortly.

COLLINS MUST GO TO SAN QUENTIN

Apr 30 — 1906
Judge Burnett of Sonoma county has in town yesterday and took action in the Collins case which will result in the wily prisoner going to San Quentin.

Assistant District Attorney William Hoff Cook made a motion to revoke the certificate of probable cause for arrest which had been issued, and Judge Burnett made an order to that effect and ordered the sheriff to take the prisoner to Santa Prison. The sheriff will go to Alcatraz where Collins is temporarily confined, and transfer the ex-convict to San Quentin.

STREET KITCHENS SHOW INGENUITY 30 1906 Outdoor Cooking Arrange- ments in Residence Sec- tion Show Queer Inventions.

Chronicle

"Make the best of it and forget the rest of it!"

F. E. Seward, carpenter, lost everything but his intellect. And if he hadn't been carrying that around in his car from it, too, might have gone up in the air, along with his other possessions. But matters don't pay board bills. So Seward scraped together a lot of rickety lumber, borrowed a saw and hammer and threw together a shack in Hamilton square. On the front of his apartment he charcoaled in bold type his philosophical couplet. The moving seems to have been absorbed by the whole colony of refugees, resulting in a spirit of cheer that cannot be excelled in any summer camp on the continent.

Mother Necessity was never busier than now. Inventions were never so numerous; ingenuity was never so profitably exercised. The people have settled down to street living in a matter of course and the pater sits calmly on a soap box against the curb, beside a gal of stew, holding a wooden poker in one hand, a newspaper in the other and a pipe in his mouth, with as little concern as he formerly planted his heels under the dining-room table and read the headlines to the family. The mother comes to the door twice every five minutes to ask if the coffee's boiling—what she really wants is a line on dad's capability as a head-on fireman—and the "kids," meanwhile, are either not hostile wood or just hanging on, wondering if there will be enough in the round, and there always is.

Under present conditions it is natural that some families should be more comfortable than others in their arrangements for curbstones housekeeping, but this time the poorer classes win. The laboring man has 100 practical ideas stored in his brain, where the man who hasn't seen a kitchen since he was a boy is absolutely helpless. Thus it is that the street kitchens range from two piles of bricks, one at both ends and uncovered, with a five-gallon oil can shoved in between, to a modern summer kitchen, containing a mortared brick furnace, with a long stovepipe to carry off the smoke and fuel; its walls lined with cooking utensils and dishes, and, just to show the nature of the inhabitants, its roof surrounded by a flagpole, flaunting Old Glory.

When the order first went forth prohibiting indoor fires, many had it figured that the inconvenience would last for a couple of days only, and made no special effort to cook outside, a loaf of bread and a pot of coffee being considered a sufficient menu for the restricted season. But the wise ones got busy with tall chimneys and built miniature furnaces, sometimes three and four feet in height. Over these they spread their oven grates, which served equally well for boiling coffee, stewing tea, frying eggs and meat or cooking stews. Then came the stiff winds, which blew ashes and clinders into the open utensils. The spirit of the wise man rebelled against the grimy invasion. Wind-breaks were required. The nearest and easiest way to obtain them was from the billboards which lined the practically every vacant lot in the city.

Only an example was required. The attack upon the inhuman exploitation of public amusements became general. By the time the neighbors had pulled their axes there was nothing left of the billboards but Varnay & Green's offer of \$50 reward for the arrest of any person caught mauling them.

The result was that when day dawned on the Saturday following the disaster a majority of the street kitchens were well sheltered from the wind and rain, and many were completely lined, curtained, canvas, tar paper and other adequate material being used to cover the wooden frames.

One energetic builder on Moore street managed to tear down a whole section of billboard, on which every show in town at the time of the disaster was advertised. He made two rooms out of it, a kitchen and the other a banquet hall. The front wall of the kitchen exploits "Dangers at Working Girls" and the three other sides proclaim respectively, "Haters to England," "The Show Girl" and "Cheerful Musicians," while the ceiling inventively inquired "Are You a Man?"

The bill boards have disappeared, fronts of houses lost their shutters from the windows and converted them into tall wind-breaks, using burlap and canvas for curtains. If then occurred to many that there was a cut-off stove or two in the cellar. These were hurriedly retrieved and put into operation without the aid of blacksmiths. A piece of wire was great enough to hold them together. The more fortunate discovered their kitchen ranges and moved them into the street, others brought out the old-fashioned potter-

stoves. Improvements were so rapid, in fact, that men pushed their minds in efforts to show something just a little bit better than that of their nearest neighbor.

By the time the women folk got to cooking bread puddings and chocolate eclairs in large batches it was up to the ex-brain winner of the house to exercise his sense of humor. "This could lead to disaster by 'dubbing' the crude imitations of the pavements. Some one on Cherry street hung out 'The New St. Francis.' The man across the way got a larger sign, 'Tall's.' On Sutter street a four-sided kitchen is walled in by small American flags. It is called 'Little America.' 'The Foodie Dog,' 'The Pup,' 'Zinkand' and 'The Palace Grill' have since appeared. One side of a mansion on Hamilton square bears this logic: 'Everybody go to Oakland. We'll stirk here.' In the same square a bath house that has reached the pulchritude of a stage is called 'Independence Inn.' It is the sleeping apartment of A. Milburn and J. Vingerle, who opened a restaurant on Post street day before yesterday, and cleared \$17 in the first seven hours.

The Smith family is faring nicely. Peter Smith, who was burned out near Van Ness, on Geary street, has built a five-room cottage in the square, in order to have a stable parlor he has installed upper and lower berths for

the accommodation of all his near relatives, and does the cooking in the annex, that the aroma may not offend his guests. He calls the place "Tullman Palace." Robert Smith, no relation, is comfortably housed in an oilcloth apartment on the outer edge of the south sidewalk of Sutter street, handy to Fillmore. The front door is indicated by a broken sewing machine, and the wall to windward is braced by a piano. The kitchen is fitted with every necessity, from sofa cushion to meat saw.

In fact, about all that houseless San Francisco needs now is a cookbook.

COLLINS SECURES SEARCH WARRANT

Appears in Police Court Against
Clerk Who Robbed Clarice
McCurdy.

June 26 1906

Imprisonment and the fact that he must appear on the streets and in court under guard of a deputy sheriff appear to have abated none of George D. Collins' activity. After having previously visited the Supreme Bench on last Thursday with his faithful deputy in attendance, he yesterday appeared before the other end of the judicial system by addressing Police Judge Morgan in regard to a complaint for embezzlement against his former law clerk, W. E. Kohler. Kohler is charged with stealing diamond earrings and other trinkets of jewelry from Clarice McCurdy on March 10th, after having taken them from the woman to pawn in order to raise money for Collins. Kohler had left the woman standing on the sidewalk in front of his father's coffee parlor on Cherry street while he went inside to endeavor to get his brother to advance the money on the jewels. He continued right on through the front door of the establishment, and kept on until, according to Collins yesterday, he reached Denver. He stopped long enough en route, however, to pawn the jewels with the Baldwin Jewelry Company, where Collins claims they are at the present time. Collins asked for a search warrant in order to secure the goods from the jewelry company. The warrant and complaint were both granted.

SPECIAL POLICE GIVE UP BADGES

Apr 30 1906
Citizens' Patrol Now a

Thing of the Past.

Exam

The hundreds of special policemen, vested with authority to make arrests immediately after the earthquake and fire, were ordered yesterday by Chief of Police Dinan to surrender their stars and badges. Hundreds of citizens will be affected by this interesting order.

The regularly constituted patrolmen of the city, the California National Guard and the United States troops will from now on perform police duty in San Francisco. When the conditions admit the soldiers, both State and national, will also be withdrawn. It is the purpose of Chief Dinan to place the entire city under the surveillance of the men under his hand as soon as possible. In speaking of the disbandment of the special citizens' police, Chief Dinan yesterday said:

"I am duly thankful for the service of the citizens' patrol. In many instances they have performed valuable acts. But the people are now surfeited with this class of police, and I have instructed my men to take up all special citizen stars and badges. With the help of the military and my regular policemen, detectives and special officers the local situation may now be handled properly. Too many police are apt to work an injury on the community. Citizens who are peacefully inclined object to the rigorous intervention of the citizens' patrol. Properly and like are now reasonably safe in the residential section of the city. In the burned districts where millions of dollars lie within exposed walls and vaults the military and regular police are amply able to guard them."

MODEL FIELD HOSPITAL *Chronicle* IN GOLDEN GATE PARK

June 12, 1906



FRONT VIEW OF
UNITED STATES
FIELD HOSPITAL
IN
GOLDEN GATE PARK.

Photo
KYAN



DR. M. L. GILCHRIST, U.S.A.
IN CHARGE OF
HOSPITAL.

Features of Novel Experiment by the Army Authorities.

At the model field hospital in Golden Gate Park the United States Army has been making some absolutely new records for its archives. It has been admitted for the perfect equipment and for its swift efficiency, but in this rush of events and in the great need on all sides demanding attention nothing more than passing local recognition has been accorded this department. Its interesting work here will soon be something of the past, for unless all signs fail it will leave at the end of June.

The truth is that this field hospital is the first one that the United States has ever opened for the benefit of a stricken community. Its books will show that for the first time in this country human lives have been treated at a field hospital, and the page that will tell of the maternity cases will be illuminative. It will be so different from all the rest. At least, President Roosevelt will be interested and amused at the records, which will show that the Government assumed the initial expenses in the lives of a number of little American citizens born during calamity times in the Golden Gate Park Field Hospital.

If it had not been for San Francisco's trouble the quick and upon hospital that has been such an appreciated innovation would have been pitched in Boston this month for the entertainment as well as the enlightenment of the National Association of Medical Men meeting there in annual convention. This particular field hospital equipment of 108 beds, which belongs to the school for the instruction of United States Hospital Corps in Washington, D. C., had already been assigned for the interesting junking trip to Boston when word was received of the extent of the trouble in this city. That order was replaced by an emergency one to proceed to San Francisco immediately. The responsibility of the trip fell to Dr. M. L. Gilchrist, United States Army, in charge of the school. In one hour and a half after the receipt of instructions Dr. Gilchrist, assisted by Lieutenant W. H. Davis, who acted as quartermaster, had his full equipment ready to leave.

The sleep was made Saturday evening, April 21st. The hospital train was given the right of way and a record run of seventeen hours was made in Chicago. When Omaha was reached a confusion of orders resulted in a greatly to be regretted delay. When the nature of the mission of this detachment became known the railroad people of the West made all possible amends, getting the special train into Oakland at 2 o'clock the following Thursday morning, April 26th.

Once in Oakland, Dr. Gilchrist used the greatest expedition in getting his

equipment ready for service. Superintendent McLaren of Golden Gate Park indicated one of the particularly sheltered places for a site, and Major George W. Melver, who was in charge of the organization of the detention camps, had his men assist in placing necessary wooden floors for the tents. So well was everything arranged that Dr. Gilchrist had received thirty patients by 10 o'clock Friday morning. His 100 men constituting Company H did magnificent service.

His company can be taken as a type of the hospital service men who are trained at the Washington school. The term of these men is four months and a half. This company that came to San Francisco had practically finished the course, and so were ready for efficient work.

Inside of the tents and out, the field hospital equipment looks, en masse, like the possessions of a drummer for a prosperous business house in the country. One set of boxes carries the administration books, typewriter and stationery, another holds the medical stores, another the diet kitchen outfit, still another the regular mess kitchen, and all sorts of necessary things come out as surprisingly as Jacks out of boxes. Each set neatly tied up in a sack, when the boxes are opened, a mattress and the full allotment of blankets, sheets and pillow slips. As it is with the cot, so it is with every article needed in the hospital. It is ready for use where it stands, requiring all possibility of confusion and failure of any point.

The arrangement of the hospital plan of the administration tents in the front. Those for operating came next, and the best arrangement is carried out in the distribution of the surgical and medical stores. One large tent is given over to the sterilizing plant. The one at the Golden Gate Field Hospital prepared water not only for the tent use, but for that of the entire adjacent model camp, in which 3500 people were being cared for.

Dr. Gilchrist was particularly enthusiastic about the sterilizing plant, its processes being so complete that the water came out cold enough to drink.

It was soon seen that the equipment of 108 beds would not be sufficient for the demands upon the hospital, so Dr. Gilchrist made a requisition upon the store at the Presidio for needed beds and supplies. This done, Dr. Gilchrist was prepared to handle 252 patients if necessary. He never ran quite so capriciously, although the number of patients treated every day would have more than filled the hospital. With the model detention camp and more than 100 yards from the hospital, it was possible to give road attention to an entire number of out patients who came to the dispensary. At this time there were often 300, from 185 to 200 beds were frequently occupied, the average being 150. At one time 100 of the patients were women, and several were Chinese.

The percent of accidents at this field hospital has been unprecedented. Dr. Gilchrist says that the records in field service are always more satisfactory than those of the closed-in hospital, a statement bringing with it the number why the healing out of doors is ever shut away from sick people.

It is a genuine luxury to be sick in the field hospital in Golden Gate Park all day long the sides of the tents are galvanized up and the patients who lie in the gentle breeze fanning their feverish faces look out upon the restful stretches of lawns and trees. Far from their front flows the most comfortable kind of melting cages are used.

The order and cheerfulness of this field hospital could not be improved upon. Looking down the magnificent, neatly exact stairs that lead to the roof of tents, the eye is pleased with the annual appearance of the thousands of white-washed steps that anchor the tents and their added shelter, but the reason for them is doubt. There add materially to the trim appearance of the camp, but the important reason for their being white is that they may be seen at night. Quinids and antiseptics going back and forth during the night must not have the handicap of such things.

There is not a square inch of paper or debris of any kind around the camp. The limited system upon an as neat and efficient as the White Cross women nurses who have been on duty here. The kitchens are screened in, and in fact from one end of the camp to the other there are reasons for the better as well as for the professional people.

The detail and unusual development of this service during the present emergency is of the greatest possible interest, but the significance of it lies in the fact that the system is so well organized and so intelligently elastic that such deviation from the prescribed line of work was not only possible, but eminently satisfactory.

Dr. Gilchrist is like every other man at affairs who has taken a hand in the emergency work of the calamity. He deplores every part of it, but as it happened, he is inclined to have had the privilege of trying to solve some of the problems.

COLLINS TRIES TO HOODWINK COURT.

Aug 8 — 1906
Judge Hebbard Refuses to Sign Paper That Is Innocent on Face.

"You always want to put the cart before the horse," Mr. Collins said Judge Hebbard in a jolly manner yesterday to the man of many wives, who had prepared another document which was innocent enough on its face, but which would have altered the record most satisfactorily for Collins had the court signed it. "I have told you that I will sign nothing and make no order until the transcript is prepared."

Not a bit dismayed by the fact that Judge Hebbard had to all intents and purposes turned him down the day before, the jolly attorney bobbed up merrily yesterday. It was a very little thing, he said, that he wanted signed. As a matter of fact, so he told the court, all he wanted was to have Judge Hebbard sign a certificate admitting that he had denied the will of sister on Federal questions alone.

"I did not deny the will because of Federal grounds," rejoined the Judge. "I told you that I denied it because it had been previously passed upon by the District Court of Appeals and Judges Murasky and Trout of the Superior Court. I will sign no orders for you. Nothing will be done until the District Attorney has been given ample notice."

Had Collins secured the Judge's signature to the certificate he would have been able to take in the Supreme Court a record that would have contradicted itself. The transcript would have proved that Judge Hebbard did not deny the will of Barbara corpus on Federal questions, and the certificate would have made another statement.

force, which produces friction along an extended zone. But not only internal agencies which act on the mass, but which are periodic, may be regarded as secondary causes of earthquakes.

INSTANCES GENERAL.

Seismic phenomena have been during the last seven or eight years and there were on the one hand great earthquakes like that of the Chile zone which seemed to have been a Chile, India, Turkey, etc., and on the other side, the eastern boundary of the Pacific was also very active and there were between September, 1905 and January, 1906 a series of very regular disturbances which affected the whole coast from Alaska down to South America with the exception of the coast of the United States. Indicating that these are earthquakes, but were the result of great stresses going on along the Pacific, such that the tension of the seabed strains would have been a great natural event to be expected.

The great earthquake of April 18 near Honolulu has regarded as having completed the continuity of it with the tension of the seabed strain along these districts which have been come, for a certain number of years, and it is a very important place, especially in the Pacific, where the seabed strain is very active and it is a very important place.

Finite studies in various phenomena connected with the movement of the earth's crust might perhaps lead to advances our knowledge regarding the problem of the production of earthquakes which are often periodic.

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When an earthquake of inland origin is large and violent, the waters of ponds, rivers and lakes are more or less disturbed. So suddenly a great earthquake of inland origin is often followed by tidal waves. The time interval between the occurrence of the earthquake, shock and the arrival of the tidal waves varies from a few minutes to over an hour, and depends on the distance of the origin from the coast. Tidal waves which are not to be noticed on high seas are developed most markedly in bays with shallow waters and with an open mouth, but are quite insignificant on deep water open coasts. Many of

BIBLIOGRAPHY

The trail, which has been most carefully studied by Professor Gilbert of the United States Geological Survey, and by Professors Lawson and Branner and other able geologists of the Berkeley and Stanford universities, begins on the north at the right-hand mouth of the Alder Creek, near Point Arena and passes into the ocean in the vicinity of Fort Hero. It again appears at the eastern side of the head of Tomales Bay, passes through the vicinity of Point Reyes station, continued to a place about four miles to the west at the Stanford University, marked disturbances of the ground being distinctly shown to the southeast in the vicinity of Wrights and Chittenden.

LENGTH OF THE FAULT.
The length of the visible fault is thus over 150 miles, being three times that of the fault line in the great Japanese earthquake of 1872. It is, further, extremely probable that the northwestern part of the fault in question is continued beyond Polni Arena under the ocean some 120 miles more and extends to the vicinity of Cape Fortuna. That the fault was not a mere surface phenomenon is shown by the appearance of the same disturbance in the innermost near Wright's station, at a depth of some 700 feet below the mountain surface.

the 21st of April, 1892, in knocking off the top of the coast of Alaska and Central and South America has been accompanied by large tidal waves. But for hundreds of years this phenomenon, which sometimes causes more damage than the earthquake itself has, has not been very active along this coast of the United States. The great earthquake of April 18 has produced distinct but very small disturbances of the bay waters which were clearly recorded by the tide gauge at the Presidio, the amount of the rise and fall of the sea water being only about 5 inches, repeated in about every 15 minutes. The wave period or pulse at a place on given coast is nearly constant in all the tidal waves irrespective of the origin or cause, a distinctive tidal wave consisting simply in the increase of the amount of the water motion existing more or less at all times, in consequence of a strong submarine earthquake, or a storm, or some other agency.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

A typical tidal rent is caused by the movement communicated from the sea bottom to the experimental water mass, a very big water disturbance taking place when the earthquake rupture at the sea bottom itself or at a very small depth below it is accompanied by some changes in the contour of the sea bottom. The absence of any big tidal disturbance on April 18 shows that there were no great submarine depression or elevation in a certain direction, although it seems probable that the northern half of the central earthquake zone pushed under the Pacific

A rough idea as to the position of the main center of subsurface point in the zone which bears the weight of the earthquake, may be obtained from a good seismograph record taken at the Lick observatory where the predominant trough of the shaking lasted about 10 or 12 seconds, from which it can be calculated that the distance between the point in question and Mount Hamilton was about 50 or 20 miles, the predominating direction of

fault is north 31 degree west-south 1 degree, and this being exactly identical with the direction of the de-escalation zone before noticed. The places in group (A) are situated on the eastern side of the fault line, while those in group (B) are situated on the western side. It will thus be observed that in (A) group places the direction of motion was mostly toward north, northeast or northeast by east, while in (B) group places the direction was toward northwest, north or northwest by west. Thus, on the whole, the motion on each side of the fault line seems to have had a tendency of diverging or being directed away from the latter. This can be explained on the hypothesis of a subterranean diapir or swelling down, which would produce an initial inward motion, to be followed by the second and larger outward displacement.

Further, the directions of motion at the different places are mostly northward, and not southward. This would mean that the whole strong motion zone was first pulled toward south-southeast, the amount of southerly motion, which was greater, being consequently directed toward north-north-west.

I presume therefore that the declination which caused the great earthquake of April 18 was a sudden movement of the earth's crust at the west coast of California toward southeast by south, accompanied by some downward thrust.

In this connection it is extremely interesting to note that Mount Tainai-pair has been ascertained from the trigonometrical measurements to have moved between 1851 and 1852 56 feet toward north 12 degrees west, indicating that the earth's crust at this point of America was being ained toward the same direction.

DEPRESSION IS MEASURED.

The ground on the eastern side of the fault line was generally displaced toward south-southeast relative to the ground on the other side. The amount of the horizontal slip was maximum between Point Arena and Point Poyo and varied from sixteen feet to twenty feet, the amount decreasing to about eight feet in the vicinity of Stanford University and to about four feet at Wright.

From the uniformity of northward direction in motion it is probable that both sides of the fault line were displaced toward north-northwest, but the west side was moved more than the east side, the amount of the horizontal slip, or shear, above mentioned being merely relative or differential. In the majority of cases the eastern side was heptarent, the maximum amount being two feet.

From the comparatively small number of afterthoughts I am inclined to sup-

posed that the main source of the earthquake is situated some considerable depth below the surface. In fact, the earthquake seems to have had place not by a disturbance which had extended along the old weak line, but extended deeper into the earth's crust. The great depth of the earthquake's origin explains why the intensity of vibration was comparatively not very high, and also why some places, such as San Juan, Rono, San Juan and Peruchil, were not directly on the fault zone, were the least shaken.

The very ultimate cause of great earthquakes is probably to be traced to the cooling and contraction of the earth and to some degree the change in the distribution of the matter constituting the land and ocean basins. The more immediate cause of such earthquakes is, however, frequent due to the settling of mountain building.

[illegible]

"The area within which more or less seismic damage was produced was very large, extending over a distance of 550 miles along the Pacific Coast, between the vicinity of Salinas on the south and the vicinity of Pecos on the north. The width or the extent from the coast of the strong motion area is probably some 50 miles. The earthquake of April 18 was therefore in length about the large Indian earthquake of 1891, the height of the wave zone of strong motion was about 100 miles. The intensity of motion in the California earthquake was, however, much less violent than in the other, and the amount of the casualties in San Francisco and the different parts of the strongly shaken zone was immensely small comparatively."

The approximate directions of the principal or strongest earthquakes more than at the different places more or less near to the fault, determined from various well-known histories are as follows:

A San Francisco, north 78 degree east, San Jose, north 51 degree east, Millerton, north 34 degree east, Fresno, north, Temple, north

United States Station (east side of fault).

11. Pulau Ayau Timur, north north-
west, Pulau Ayau, Helu

west, Inverness, north-west, Poln
Hoyne station western side of Leith

The mean general direction of the

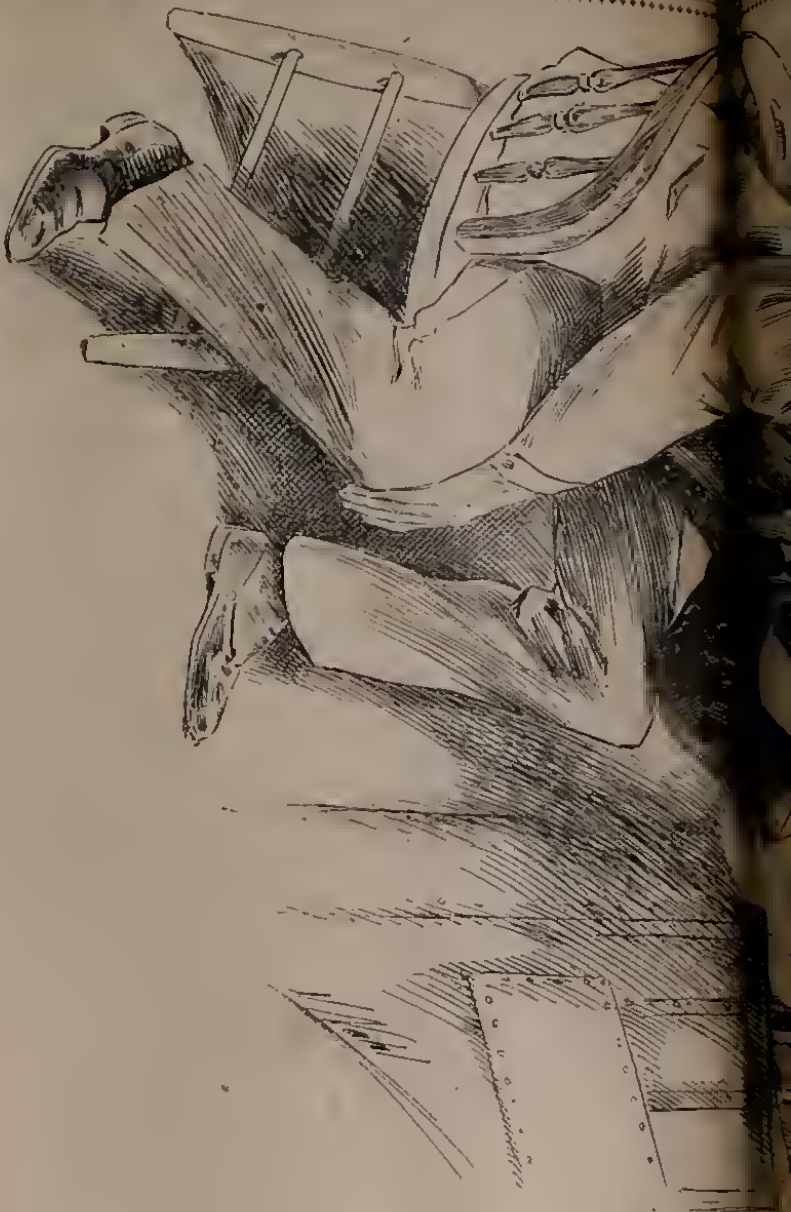
could the survival of Mexico as an independent state be guaranteed, an irrefragable fact? It was, however, an irrefragable fact that in a location as far off as to defend executive and the heads of state, a person would not be able to do so. It was, however, a fact that a person would not be able to do so. It was, however, a fact that a person would not be able to do so.

I believe that the only way to get the best of both worlds is to have a mix of both. I would like to see a mix of both the old and the new. I would like to see a mix of both the old and the new. I would like to see a mix of both the old and the new.

A PRISONER AT HOME

At the same time, the hour is now passing to step us from the sphere of abstract thought to that of actual life, where our chief end is to find *happiness*. This principle, as to what it is, will be of more use at inspection, will be more so, in the present context, than otherwise, in the induction of our course, to enable us to select our work, which will render the shape of our work, as a rule, to be had upon a notion for a new trial.

Attorney General and Carroll led the Mayor's staffs before incoming to program activities four days before will host the meetings and shortly thereafter that they will make the important a final diagnosis of the case to be made within three months, even though the courts to which appeals will be made should act at once.

[illegible]

SCHMITZ

**PROOF OF PAYMENT
NOT NECESSARY**

Schnitz Was Guilty Even Had
Ruef Kept Money, Says
Judge Dunne.

A startling statement in the charge of Judge Payne to the jury was the following:

"I don believe from the evidence in this case to a moral certainty that I could find a reasonable doubt that said Nathan Huff and the said deceased were, as charged, guilty of the crime and that such extortion was actually extorted. It is my belief that said Huff and said Shubert are guilty of the crime and that the said Huff kept all of the money thus extorted."

LANGDON DECLARES
LAW IS VINDICATED

EY WILLIAM H. LANGDON
District Attorney of San Francisco.

EVERYONE who heard the testimony in this case with a fair and unbiased mind could arrive at but one conclusion and that was that the defendant was guilty. In every city in the country the effect of the verdict will be felt. It means that no man is above the law. It means that no man can constantly and persistently violate the law without paying the penalty.

It gives hope and encouragement to those charged with the responsibility of enforcing the law in this city in the battles that are still to be waged.

The predatory princes of finance who have made possible the corruption of the city government will unquestionably in their day in court meet the same fate.

There's a ray of hope for better things in civic affairs in the city in the future. It was with no feeling of joy or gloating over a victory attained that we heard the verdict of guilty, but we feel that the law has been vindicated and that justice only has been done. The campaign inaugurated some eight months ago to clear up the local situation is making progress. It shall be continued until every lawbreaker shall have been brought to justice.

DECLARES RECORD TEAMS WITH ERROR

Mayor's Attorney Insists He
Will Be Vindicated by
Higher Court.

By J. J. Barrott

No one knows better than the prosecution that this verdict is not worth the paper that it is written on. We shall exhibit a record of misconduct and error unparalleled in the official history of this country, and when the last word is spoken upon the methods by which this verdict has been accomplished the position in which the defendant is at this moment will be one of honor and triumph compared with that of those at whose foot this outrage will be laid.

District Attorney Langdon declares that "the predatory princes of finance" will now be prosecuted until every guilty man has been brought to justice.

The jury that tried Mayor Schmitz, after listening to a day of furious argument, reached a verdict in very short order. And now the Mayor, in the custody of the Sheriff, is like any other convicted criminal, and, except upon the discretion of Judge Dunne, cannot be admitted to bail.

San Francisco, in her fight for regeneration, may now say with Monte Cristo in his fight for revenge:

TWO!

Abbe Ruef, a few months ago the political master of the city, boss of two political parties, and with an ambition to be a United States Senator, has pleaded guilty, and is open to a sentence of five years in the penitentiary.

Eugène E. Schmitz, whose sudden rise from poverty to riches has been one of the great political scandals of modern times, has been convicted of extorting some of his wealth from the French restaurant keepers of his home city. He, too, is subject to a five-year term.

And now the District Attorney declares that the work of convicting the millionaire criminals who have made the crimes of Schmitz and Ruef possible will be far easier because of the conviction of the first two malefactors.


The unanimity of the jury in the case of Schmitz tells the story of the sentiment in the community concerning graft, bribe-takers and bribe-givers. There was no trouble in struggling to secure a verdict once the

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 J. H. McADDER,
 Dir., Forecasting.



VOL. LXXXVI

SAN FRANCISCO, FRIDAY, JUNE 14, 1907.

No. 165.

SCHMITZ GUILTY!

"We, the jury, find Eugene E. Schmitz guilty as charged."

MAYOR MAY STILL BE KEPT IN OFFICE

Langdon Not Prepared to Say That Removal Proceedings Are to Be Instituted.

EXPECT EXECUTIVE TO APPEAL FROM VERDICT

By Wm. H. Langdon

W



JURY AFTER A BRIEF DEBATE SEALS DOOM OF INDICTED MAYOR

One Juror Hesitates Only Long Enough to Have Point in Judge's Charge Elucidated

MAYOR AFFIRMS INNOCENCE AND WILL FIGHT THE VERDICT

By Eugene E. Schmitz

"No matter what the decision of the jury, which was gotten under most adverse circumstances regarding myself, I still maintain and affirm that I am absolutely innocent of the crime charged and will fight to the last resort. As I said before my trial, I did not expect, nor did I receive, fair or even decent treatment at the hands of Judge Dunne, and realizing his prejudice, I made every effort to have the case transferred to any other judge in the State. I do not take this as a defeat, and the decision makes me all the more determined to seek and secure justice in another court."

BY EDWARD H. HAMILTON

GUILTY! Schmitz

HENNEY IN FIERY SPEECH URGES JURYMEN TO DO THEIR DUTY

The Work Will Go On and On Until the Law Is Satisfied--District Attorney Langdon

As yet in the courtroom when the jury, returning with the verdict, had just resumed their seats in the box, Foreman Capt. standing, is about to read the finding that swills the Mayor's doom. To the right sits Schmitz, next to him Attorney J. C. Campbell and next to him Attorney Frank Drew.



use had been given into the jury's hands. In a preliminary ballot one juror voted for an acquittal, but merely to provoke discussion over a point in the ballot being taken, the entire twelve having voted "guilty as charged."

The objection was overruled with life and women when the jurors filed into their box, and the witness went forward to his automobile outside the door, came in with his hands and feet between Attorney's Barrett and Drew, with W. H. Merken and Judge's trial in close attendance.

Justice Attorney Langdon, through Attorney and Attorney's trial and other heads together at the prosecution end of the table, and then through J. H. Merken and Judge's trial in close attendance.

The jury that had been sent out at twenty minutes past six came in at ten minutes past eight, though they had been waiting for some time at the court house, and when the judge did arrive they had not been waiting for him at the court house. The judge took the place at the head of the bench at ten minutes past eight, and the jury took the place at the head of the bench at ten minutes past eight.

trial now," responded Burns.

"We will call to Judge House to explain his change, if you desire," said Foreman Capt.

"No," said Burns, "I am satisfied."

"I am satisfied," said the judge, "and I am satisfied that the jury is satisfied."

"I am satisfied," said the judge, "and I am satisfied that the jury is satisfied."

RUEF HAS SYMPATHY FOR HIS COMPANION IN GUILT
By ABRAHAM RUEF.

I am sincerely sorry at the verdict that was returned by the jury, both for the Mayor's case, and for the case of the other defendants.

Has Not Been Proven

**Henry Has No
Equal in Vehemence.**

Henry has a style all his own. In regular part he is colloquial and conversational, but in his expressions of denunciation he has the force of a dynamo. But he loves to quarrel, and in vehemence he has few equals.

He was very soon hammering away at Barrett, who, although he complimented Campbell very highly for being a lawyer who fought fairly, intimating by this that Barrett did not. His voice soon was up and he was hurling denunciations at Barrett, who, in the meantime, Barrett had called Ruess "the Napoleon of criminals," and Henry's laughter him with having served four

Henry has a style with

"I say what I have to say, and I don't you take the standard—admittedly, I am going to stay in town," thundered Nelson with the intonation of a man who would say he expected to be stoned during a snowstorm. "I live!"

Henry's partner snorted.

As both Henry and Nelson are supposed to be willing to take a chance in a gun play, the exchange is a little more than a confidence game. But nothing more came of it, and probably it was all just food for a very blunt.

**Denounces Schmitz
For Retaining Dinan.**

Hebey debounced Schi

[illegible]

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100

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collars. They have been reduced just half.

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Ladies' Kid Juliets with hand turned sole, Patent leather tips and rubber heels, one of the most comfortable shoes now sold. Regular price \$4.75.

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ured Bremen, English, etc. None
of them worth less than 100. Many worth 100 a
yard.

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of "Lucky Strike" cigarettes, with a 250 pipe
 minus five Complete for 75c.

Assistant District Attorney Francis J. Harty, as he appeared yesterday, was the jury the vice the people against Mayor W. W. Schmidt.

Courts are crowded with eager listeners who
 hear once more the story of Mayor's Guilt.

Kindly have use of a lack of ability in the presentation of his case. Mr. J. Campbell made one to me the other day yesterday. Attorney J. Campbell made one to me the other day yesterday. Attorney J. Campbell made one to me the other day yesterday.

[illegible]

Rodolph Speckels
It was a great chance for the lawyers and they made the most of it. The big swampland was gained with people who filled all the seats and found in all the tales and occupied every position where a glimpse of the actors in the drama could be secured or where a word of the arguments could be heard; and then there was an overflow into the streets, where men of color and race and especially, they hardly knew why, women

people stood around eager and expectant. School Superintendent Konovitch, Police Commissioner Hargrett, School Superintendent Konovitch, Member of the Board of Education Boyle and Herbert Schmitz were on hand to support the Mayor in the morning. The killers were billed with their records. The young men heavily veiled in brown canvas

[illegible]

When Judge Tamm had taken him to the prison, he was met by the warden and the names of the persons that were called by the warden were read. The names of the persons were read in the presence of the warden and the names of the persons were read in the presence of the warden.

Hear Henry's Speech

Crowd Throngs to

Hear Henry's Speech

A black and white illustration of a man in a suit, sitting at a desk and writing with a quill pen. He is looking down at the paper. The illustration is framed by a decorative border.

WARNS JURY AGAINST
FEELINGS OF SYMPATHY

If you have no doubt as to his guilt, then you have the right to believe that the people of this city, that the people of this State, that the people of these United States have no more doubt than you. If you have no doubt as to his guilt, let me feel of mercy, I pray. If you have no partnership, some between you and your city—Franklin, I address to the jury.

[illegible][illegible][illegible]

When you answered me I knew you were telling the truth. I still had one challenge left in the box and you had used it on you. But didn't you know that you were wrong to judge this case? I was into the discussion of the facts of this case; that's what we are here for. First, why are attorneys permitted to argue before a jury. It seems useless. It is not. We attorneys are not to be judged on guilt and liability. It is not material to me whether you have any money and whether you can afford to pay for a court instructor. You, I want to tell you that it is not necessary that Schnitz got any money to believe that the day after tomorrow, attending a trial, he would be in a position that would force him to trust that he is guilty. I want to trust that he is guilty, and

[illegible]

THIS CASE
WANTS JURY TO BE
PELTY HARTFIELD.
It is true that if even one juror does not know all the evidence and is therefore biased and there is a huge possibility of a new trial, I use an hour more of the same time that maybe you think necessary, it will have worth in the evidence and for I will have we want ask you

they do about it? Do you
they would be enough to
fact and say, own the Po
you? If you don't come
revolve your license." It
that they would do it
to suppose a reluctant, you
nounce the fact to himy
way than commit a crime
and the same moment
fend on the hour, we

PORTRAYS TREASON
OF THE EXECUTIVE
IN MINUTE DETAIL

By Edward H. Hamilton.

And then in the afternoon Attorney Francis J. Jerey, in one of his characteristic addresses, presented the overwhelming proofs of the prosecution in an easily understood sequence, occasionally interrupting his argument with bursts of satiric and humorous banter at the attorney for the defense who had attacked him and his motives. District Attorney Langdon and Randolph Spradley,

It was great chairs for the lawyers and they made the most of it. The big, swagging one was jammed with people, who filled all the seats and stood in all the aisles and occupied every position where a glimpse of the actors in the drama could be secured or where a word of the arguments would be heard, and then there was an overflow into the street, where people stood around eager and expectant, they hardly knew why.

Police Commissioner Tracy, School Superintendent Konover, Boyle and Herbert Schmitz were on hand to support the Mayor in the morning. The galleries were filled with women and their escorts, the young girls heavily veiled in brown causing much comment by their fathers as to how they faced Mrs. Francis J. Lynch of Tippecanoe. A Sterns and company of Tippecanoe had a reserved seat in a Kelley front row. Joseph Keefe, the father of the murdered girl, and the venerable Theodore Mitchell represented the elder life of the State, while Insurance Commissioner H. Alvord and Judge Harry Workitt represented the present of today.

When Judge Henney had taken his seat, the names of the jurors present were called—Bernard-Bohlander, Joe Henshell, walked to the front of the jury box. While Frank Drew took a note at a table near him to assist him in going through the record and making bills of testimony that he made out. Schwartz pointed himself well listened to the plea of his lawyer, and at a time leaned his head upon his arms and shut his eyes with his hands to try to hear the better for the

Hear Heney's Speech

Crowd Throngs to

There was the greatest crush of the entire trial to hear Heney. As early as 2 o'clock it was almost impossible to get into the synagogue. Even Judge London of Miami, invited to take a seat beside Judge Dunn, found great

—

end, for I will be going into the ev-
dence all the time. We won't ask for

way men commit crimes? If they intended to hold Majlani up and re-

二、



Assistant District Attorney Francis J. Hench, as he appeared while running up to the jury the end of the People against Mayor D. W. Schmitt.

WARNS JURY AGAINST FEELINGS OF SYMPATHY

I sometimes no doubt are to his guilt, that you have the right to believe that the people of this city, that the people of this State, that the people of these United States have no more doubt than you if you have no doubt as to his guilt, let me feeling of mercy, no indifference, no partiality come between you and your duty.—I wish Henry's address to be this.

that, that you attributed to him, if I had any doubt, that it undoubtedly was his. I would have said that there was a man in the crowd who I thought—except to any that knew me, I think you find a great need in a general account, that the birth of the Republic was a result of the very best of the American people.

[illegible]

Now, what was the property that differed from the other things that was the difference between the things that were in the room and the things that were not in the room? The answer was that the things that were in the room were things that were in the room, and the things that were not in the room were things that were not in the room.

[illegible][illegible]

WANTS JURY TO BE
WITH SANFORD.

[illegible]

And in your own minds beyond a reasonable doubt that this defendant, Eugene E. Schmitz, is guilty of the crime of NOW, tell us what the charge is? What is the indictment? What have you done, people, with this? They have

to him? Not at all.

Let me give you an illustration. I have been in the United States for two criminal years. I was arrested in Arizona. This is what I did. I was arrested and taken to the State Prison and told

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SAYS CONFESSIOIN

WAS BRING
FROM RUEF

His Boss Pleaded Guilty Only Because He Was Hounded by Prosecution.

[illegible]

show you from the same extent
know that from the same, when the voice
to lay stress to something of the music
from the text known to
I am going to stop by the record in
I am not now, why—because that
is not in all that is necessary to prove
that this is not an absolutely inno-
cent of all this children

三、四、五、六、七、八、九、十、十一、十二、十三、十四、十五、十六、十七、十八、十九、二十、二十一、二十二、二十三、二十四、二十五、二十六、二十七、二十八、二十九、三十、三十一、三十二、三十三、三十四、三十五、三十六、三十七、三十八、三十九、四十、四十一、四十二、四十三、四十四、四十五、四十六、四十七、四十八、四十九、五十、五十一、五十二、五十三、五十四、五十五、五十六、五十七、五十八、五十九、六十、六十一、六十二、六十三、六十四、六十五、六十六、六十七、六十八、六十九、七十、七十一、七十二、七十三、七十四、七十五、七十六、七十七、七十八、七十九、八十、八十一、八十二、八十三、八十四、八十五、八十六、八十七、八十八、八十九、九十、九十一、九十二、九十三、九十四、九十五、九十六、九十七、九十八、九十九、一百。

I have only just had fifteen letters right lying on the table, and I have not even had any effort to pin them down. Naturally, I confess that no person made any effort to hint at any time, during the trial, that no one made any effort to hint at any time. First I said, but I felt a further, I forgot to say that no letter had been made to him by any one of his sons. After the first trial, I said that no one made

From the testimony of these two witnesses, the jury found that the defendant began to work at the testimony of Thomas. Take up the testimony and look at it with an unbiased mind. Take out this, and give and judge it for what it is.

and a few other Republicans, who in the days before the election had been in the minority, and told the voters that they wanted him to vote for the man that was the Mayor of the city. The Mayor said that he would vote for the man that was the Mayor of the city, and the voters voted for him.

from the point of view of Reagan and his advisers they are bad and the reason is that he did say and do things that he would not want to be put in front of the public. Now, I think that the reason he will not be put in front of the public is that he is not a politician. He is a man of letters. The trouble is, I think, that he is not a politician.

“I stepped out and that is what came out of it,” he commented, and that is what was reported in a committee to the House of Representatives. “I didn’t know I was in a committee.”

At the time, the prosecution says, the defendant was the agent who sold the car to the defendant’s brother and the defendant’s friend.

At the time, the defendant was the agent who sold the car to the defendant’s brother and the defendant’s friend.

[illegible]

And it was from the demeanor of the doctor on that day and the "best thing" the Mayor could do for him that brought this conversation about.

Attorney J. C. Campbell, leading counsel for Mayor Schmitz, appeared yesterday in the court room while making the final plea to the jury in behalf of the indicted executive, in charge of charges that he had been since the trial began.

[illegible]

THIRTY 11 4 11.61015

If you believe from the evidence in this case to a moral certainty, and defend on a moral doubt that they are not, by circumventing their request or by them with their consent, to thereby start money from them and reduce the said Malabar, Ichab and Ichab, to poverty, and that a person able to believe, and that a person would have believed that them, it would not be gratified to them by the Police Commissioners of the city and County of San Francisco, or that they are not, for the removal of the said Ichab, Ichab and Ichab, and the management of their business, and instruct you a formal writ made by the defendants to do an unlawful injury to the property of the said Malabar, Ichab and Ichab.

INDICATIONS OF CULTURE

[illegible]

NOT NECESSARY.

If you believe from the evidence in this case to a moral certainty and beyond a reasonable doubt that said Abraham Ruef and the said defendant, Schmeltz, conspired to commit the extortion alleged in the indictment, and that such extortion was actually committed, then both said Ruef and said Schmeltz, are guilty of the crime, even if the said Ruef kept all of the money and the said Schmeltz was extorted.

(Continued on Page 4.)

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 Pins, 400 to 5000, 2 pieces for 50.
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 Assorted Iron Handles, do each.
 Large Round Tin Canteens, do each.
 Biscuits, do
 Children's Little Flower Supporters, 4 also
 black only, do pair.
 Stockings Shirts, size 2 AND 3, do pair.
 Petticoats cotton Elastic, black, pink,
 and yellow, do yard.

Publishing, 6 yards to piece,
 different designs, 2c. piece.
 Rubber Hat Furless, assorted
 lengths, black, brown and gray,
 25c. each.
 3 Rachee Wreath, 2c. each.

Patent Rubber and Flocked Hat
 Protectors, 25c. pair.
 Hair Pin Labels, invisible, marked
 and attached to hairpins, 1c. each.
 Japanese Wire Hair Pins, 1c. of
 size to 2 1/2 inches, all hairpins
 in a package.

Sample Luce Curtains, 45c ea. 300 yard pairs of 3½ yard long and 3½ yard wide. See them for days—important saving on every one.

Brown Reds, to drapery them \$1.10 each.

Gun Metal and Gilt Picture Frames, 25c, 35c and 50c. Large assortment of gun metal and gilt picture frames just received. Call, finding no better.

50c Buckle Sets for 25c
Gilt Buckle Sets, plain or with
jewel settings, turquoise, emer-
alds or amethysts.

**35c Sand or Fruit Bow
for 15c each**
Pure china, delicately
painted floral decoration, med-
als.

Big
Values
in
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Utile

Trinidad
Good Goods

SIXTH STREET NEAR MARKET

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Office
at El
Prado

UNION IRON WORKS
I DORA PARK
& OPERA HOUSE
COLUMBIA MO
EDUCATION H. W. MURPHY

WHILE IN CHICAGO Acting Men
Every One-A-Minute, and more
The Wedding D

NEXT MONDAY THE
The Amer
A Capital of Sun and Sea.

Ye Liberty Playhouse

Notice is hereby

 Executives H W Pitts &
 NANCY O'NEILL and Christine A. Pappas
 T A M C C A

LA JOLLA
New York—7711, 7713, 7715, 7717, 7719, 7721, 7723, 7725, 7727, 7729, 7731, 7733, 7735, 7737, 7739, 7741, 7743, 7745, 7747, 7749, 7751, 7753, 7755, 7757, 7759, 7761, 7763, 7765, 7767, 7769, 7771, 7773, 7775, 7777, 7779, 7781, 7783, 7785, 7787, 7789, 7791, 7793, 7795, 7797, 7799, 7801, 7803, 7805, 7807, 7809, 7811, 7813, 7815, 7817, 7819, 7821, 7823, 7825, 7827, 7829, 7831, 7833, 7835, 7837, 7839, 7841, 7843, 7845, 7847, 7849, 7851, 7853, 7855, 7857, 7859, 7861, 7863, 7865, 7867, 7869, 7871, 7873, 7875, 7877, 7879, 7881, 7883, 7885, 7887, 7889, 7891, 7893, 7895, 7897, 7899, 7901, 7903, 7905, 7907, 7909, 7911, 7913, 7915, 7917, 7919, 7921, 7923, 7925, 7927, 7929, 7931, 7933, 7935, 7937, 7939, 7941, 7943, 7945, 7947, 7949, 7951, 7953, 7955, 7957, 7959, 7961, 7963, 7965, 7967, 7969, 7971, 7973, 7975, 7977, 7979, 7981, 7983, 7985, 7987, 7989, 7991, 7993, 7995, 7997, 7999, 8001, 8003, 8005, 8007, 8009, 8011, 8013, 8015, 8017, 8019, 8021, 8023, 8025, 8027, 8029, 8031, 8033, 8035, 8037, 8039, 8041, 8043, 8045, 8047, 8049, 8051, 8053, 8055, 8057, 8059, 8061, 8063, 8065, 8067, 8069, 8071, 8073, 8075, 8077, 8079, 8081, 8083, 8085, 8087, 8089, 8091, 8093, 8095, 8097, 8099, 8101, 8103, 8105, 8107, 8109, 8111, 8113, 8115, 8117, 8119, 8121, 8123, 8125, 8127, 8129, 8131, 8133, 8135, 8137, 8139, 8141, 8143, 8145, 8147, 8149, 8151, 8153, 8155, 8157, 8159, 8161, 8163, 8165, 8167, 8169, 8171, 8173, 8175, 8177, 8179, 8181, 8183, 8185, 8187, 8189, 8191, 8193, 8195, 8197, 8199, 8201, 8203, 8205, 8207, 8209, 8211, 8213, 8215, 8217, 8219, 8221, 8223, 8225, 8227, 8229, 8231, 8233, 8235, 8237, 8239, 8241, 8243, 8245, 8247, 8249, 8251, 8253, 8255, 8257, 8259, 8261, 8263, 8265, 8267, 8269, 8271, 8273, 8275, 8277, 8279, 8281, 8283, 8285, 8287, 8289, 8291, 8293, 8295, 8297, 8299, 8301, 8303, 8305, 8307, 8309, 8311, 8313, 8315, 8317, 8319, 8321, 8323, 8325, 8327, 8329, 8331, 8333, 8335, 8337, 8339, 8341, 8343, 8345, 8347, 8349, 8351, 8353, 8355, 8357, 8359, 8361, 8363, 8365, 8367, 8369, 8371, 8373, 8375, 8377, 8379, 8381, 8383, 8385, 8387, 8389, 8391, 8393, 8395, 8397, 8399, 8401, 8403, 8405, 8407, 8409, 8411, 8413, 8415, 8417, 8419, 8421, 8423, 8425, 8427, 8429, 8431, 8433, 8435, 8437, 8439, 8441, 8443, 8445, 8447, 8449, 8451, 8453, 8455, 8457, 8459, 8461, 8463, 8465, 8467, 8469, 8471, 8473, 8475, 8477, 8479, 8481, 8483, 8485, 8487, 8489, 8491, 8493, 8495, 8497, 8499, 8501, 8503, 8505, 8507, 8509, 8511, 8513, 8515, 8517, 8519, 8521, 8523, 8525, 8527, 8529, 8531, 8533, 8535, 8537, 8539, 8541, 8543, 8545, 8547, 8549, 8551, 8553, 8555, 8557, 8559, 8561, 8563, 8565, 8567, 8569, 8571, 8573, 8575, 8577, 8579, 8581, 8583, 8585, 8587, 8589, 8591, 8593, 8595, 8597, 8599, 8601, 8603, 8605, 8607, 8609, 8611, 8613, 8615, 8617, 8619, 8621, 8623, 8625, 8627, 8629, 8631, 8633, 8635, 8637, 8639, 8641, 8643, 8645, 8647, 8649, 8651, 8653, 8655, 8657, 8659, 8661, 8663, 8665, 8667, 8669, 8671, 8673, 8675, 8677, 8679, 8681, 8683, 8685, 8687, 8689, 8691, 8693, 8695, 8697, 8699, 8701, 8703, 8705, 8707, 8709, 8711, 8713, 8715, 8717, 8719, 8721, 8723, 8725, 8727, 8729, 8731, 8733, 8735, 8737, 8739, 8741, 8743, 8745, 8747, 8749, 8751, 8753, 8755, 8757, 8759, 8761, 8763, 8765, 8767, 8769, 8771, 8773, 8775, 8777, 8779, 8781, 8783, 8785, 8787, 8789, 8791, 8793, 8795, 8797, 8799, 8801, 8803, 8805, 8807, 8809, 8811, 8813, 8815, 8817, 8819, 8821, 8823, 8825, 8827, 8829, 8831, 8833, 8835, 8837, 8839, 8841, 8843, 8845, 8847, 8849, 8851, 8853, 8855, 8857, 8859, 8861, 8863, 8865, 8867, 8869, 8871, 8873, 8875, 8877, 8879, 8881, 8883, 8885, 8887, 8889, 8891, 8893, 8895, 8897, 8899, 8901, 8903, 8905, 8907, 8909, 8911, 8913, 8915, 8917, 8919, 8921, 8923, 8925, 8927, 8929, 8931, 8933, 8935, 8937, 8939, 8941, 8943, 8945, 8947, 8949, 8951, 8953, 8955, 8957, 8959, 8961, 8963, 8965, 8967, 8969, 8971, 8973, 8975, 8977, 8979, 8981, 8983, 8985, 8987, 8989, 8991, 8993, 8995, 8997, 8999, 9001, 9003, 9005, 9007, 9009, 9011, 9013, 9015, 9017, 9019, 9021, 9023, 9025, 9027, 9029, 9031, 9033, 9035, 9037, 9039, 9041, 9043, 9045, 9047, 9049, 9051, 9053, 9055, 9057, 9059, 9061, 9063, 9065, 9067, 9069, 9071,

[illegible]

TOBY MALL
THE FURRIER
142 B. STREET

[illegible]

Every Building of Over Six Stories a Class A Structure.

[illegible]

When the next twenty six aged, infirm or blind persons were brought out of the building above this, the twenty seventh person, who was a young man, was brought out. A sign on the building is a black board with the words "No dogs allowed" written on it. All persons shall come with a strict entrance as in the case of the other persons. The persons under the building are forbidden to go out of the building. The persons under the building are forbidden to go out of the building. The persons under the building are forbidden to go out of the building.

The height of a tentment house shall not exceed one and a half times the width of the street on which it fronts and it shall not occupy more than one-third of the lot on which it stands, if such lot is a corner lot, half of the lot in width. On a lot other than a corner lot more than 1/3 of the lot shall be devoted to the use of a tentment house. The lot shall not be less than 20 feet wide and shall have a frontage on the street of at least 20 feet.

California has had more mild weather than any other state in the country for many of the past few weeks. Although the rain season on a north westerly basis is uncertain conditions are not ideal for planting and growing crops. The forecast predicted showers, but the rain proved heavier than anticipated. This is due to the fact that the weather is still pretty much the same as it was not very long ago. The weather will tend to be the same as it was not very long ago.

[illegible]

Yesterday Morning's Downpour
Plays Havoc With Mc-
Adie's Calendar.

adiposities in pure leather in the
middle of hunting, bridges and recon-
struction in the town, from dis-
turbance the weather played the
most part on the jump, especially
about for twenty-three officially
ended years.

[illegible]

number of 17. McArthur said that even without this 1991-92 crop loss, the Pacific Ocean would equaled the previous 10 months, and the month from October 1991 to October 1992.

There have been out of more than 100 days, only about eight or 10 days during the past five or six years when the weather prophet is right to say about our January. It has brought rain. And then it has been a storm that moved out of place in April last year. There, the total is 147 days.

month-record, and six of this fall's been a record. The weather has been abnormal but it must be recognized that the weather has been almost all over the United States. There is a record meteorological depression, but it is passing. The indications are all for clear weather. We may expect warm soon.

[illegible]

THE NEW YORK PUBLIC LIBRARY
ASTOR LENOX TILDEN FOUNDATION
155 E. 42ND STREET
NEW YORK 17, N. Y.

Attorney Boynton Declares Plot to Evade Payment Promises Success.

On March 30, the judge of the 11th circuit court in which the teachership proceedings were pending made an order requiring all German insurance companies of record to present their records to the court. The records were to be received in San Francisco on or before May 15, 1907, or face their return.

in accordance with this order all claims were presented, approved by the receiver and turned over to the court. Upon the filing of the claims, accounts made an item of the estate. The claimants were notified of the filing of their claims and were allowed to object to the claims. The claimants were notified of the filing of their claims and were allowed to object to the claims. The claimants were notified of the filing of their claims and were allowed to object to the claims.

The filing of these objections and the making of them notwithstanding, the trial proceeded and all San Francisco witnesses—regardless of whether the witnesses were to present or represent plaintiffs—were sworn in.

In his attempt to show that the newspaper men did not testify truthfully Mooney called his two lieutenants, McManus and Stenderman, who made statements that the newspaper men had sworn were made by Mooney in the presence of a third man. Mooney served both sides as attorney for the defense and the prosecution, while the German National Alliance acted as counsel for the United States.

Hill Found Births to Hold Secret

Members of the Richmond District Women's Christian Temperance Union learned Monday a general meeting had been held at which the birth records of the district were discussed.

The women, who are active in the district, were told by Mrs. J. H. Hill, secretary of the organization, that the birth records of the district were being kept secret from the public. She said that the records were being kept in a safe in the home of Mrs. J. H. Hill, and that the records were being used by the police to identify persons who were arrested.

Mrs. Hill said that she had been told by a person who was in contact with the police that the records were being used in this way. She said that she had been told that the records were being used to identify persons who were arrested, and that she had been told that the records were being used to identify persons who were arrested.

Mrs. Hill said that she had been told that the records were being used to identify persons who were arrested, and that she had been told that the records were being used to identify persons who were arrested.

Through His Attorney, He Tells
Police Commissioners That
They Are Biased,

Many Allegations. The allegations of the complaint against Mooney are, in substance, that he publicly declared that half of the men who had been hanged were corrupt, that the Tolls' Commissioners were appointed for political reasons, and that he could not be certain that half of the men who had been hanged were innocent. It was testified by three witnesses that Mooney had said all these things charged against him. It was further testified that he had said to the Palo Alto Commission of inquiry:

Roche Opposes Testimony.
Attorney Roche opposed all of the

Say Witnesses Are Untruthful.
In testimony by an attempt to show that all the witnesses summoned by Chief of Police Dunn were not men of proven merit. He made but little progress along that line. Then he tried to persuade the witnesses that Money had not really made any scandalous charges in his public interviews, but had merely complained of the commission of sins and of the conduct of the members of the board of censors with accused politicians.

In an attempt to show that one of the witnesses was not a party to the crime, Attorney General McManus called the new witness, John McManus, to the stand. McManus stated that he had not heard Alimony make statements that the newspaper man had sworn were made by Alimony in the presence of a lieutenant of police.

prosecuting their duty, and this is what I think that God may often make available to newspaper men by his benevolent will. He did not create for him, if at all. The defense will soon be made to-day.

—IRKUTSK, JUL 26, 1907

How do we know there is oil?

Because: 1. Only 100 feet from our property there is the famous gusher of the Lucile Oil Co., 2,785 feet deep, commencing flowing August 27, 1930, 700 barrels per day, and now flows 1,040 barrels daily through only a 3-inch pipe.

2. Think of the immense force of nature required to throw up heavy oil 2,700 feet through a 3-inch pipe at the rate of 1,049 barrels daily. The most powerful fire-engine is unable to throw up a stream of water as high as ONE Call building, not to speak of NINE on top of each other.

But to go down 2,700 feet costs \$225,000.

and, Free of Debt and Have \$10,000 Cash

We Are Now Selling Shares of \$1.00 Par Value at 50¢

Think of the immense returns: We will drill a well with a 6-inch pipe, and, therefore, can expect a gusher of 2,000 to 4,000 barrels per day. Oil sells now for 50¢ per barrel at the well, making an income of \$1,000 to \$2,000 per day, or \$365,000 to \$730,000 per year.

Fortune knocks once at every man's door; now is your chance of a lifetime..

Lucile Shares—One year ago 50c; now not to be had at any price.

Closest investigation invited. No commission to agents or middle-men. You deal with the company direct. Call for further particulars.

ACT ALADIN OIL CO. NOW

CARL W. RUEHLER, Secretary
642 Laguna Street, San Francisco
Phone FURch 0001.

CUT OUT THIS AD. IT WILL NOT APPEAR AGAIN

Maro Island Navy Yard



495

Friday and Saturday, Children's Day

Included are Regulation Suits & its 1 Peter trousers effects, in navy blue, light blue and garnet serge. Emblem on sleeve; sizes, 6 to 14; worth \$8.50 to \$10.00, according to size—all go at \$4.95.

\$3.50 Children's Coats \$1.95

Short and three-quarter length; light, medium and heavy weight.

Women's \$10.00 Jumper Suits \$4.95

Of Good Taffeta Silk in Eight Different Shades.

\$17.50 Suits \$6.95
Pretty Lions, Fancy Trimmed.

\$25.00 Cutaways \$14.95

Three Button Cutaways with Silk
Inlaid Collars.

\$5 Covert Jacket \$2.45

Tight-fitting, satin lined throughout. Clearance sale price, \$2.45.

\$17.50 US!

\$10 Long Black Silk Coats \$9.95

\$25.00	Black SILK COAT,	\$12.45
\$32.50	Black SILK COAT,	\$14.95

\$4 Skirts \$1.75

Gray Mixtures. Buttons on Side

\$5.00 Skirts. \$1.95

\$6.00 Skirts at \$2.45

57.50 Shirts at 53.45

Golden Gate
Cloak and Suit House
MARKET STREET, NEAR TAYLOR

MARKET STREET, NEAR TAYLOR

Bon Ami

The Best Scouring Soap Made

A Scouring Soap
A Metal Polish
A Glass Cleaner

DAY
July 1, 2, 3, 4, 5, 9, 10, 31
August 8, 9, 10, 19, 29
September 3, 4, 5, 11, 12, 13

July 1, 2, 3, 4, 5, 9, 10, 31
August 8, 9, 10, 19, 29
September 3, 4, 5, 11, 12, 13

WAY



THERE AND BACK

Clatsop, Ill.	872
Mr. Louis, Ill.	873
Meribeth, Tenn.	874
New Orleans, Tenn.	875
Albion, Miss.	876
Albion, Miss.	877
St. Joseph, Mo.	878
Leavenworth, Kan.	879
Quinn, Neb.	880
Frederic Hinds, Ia.	881
St. Paul, Minn.	882
St. Paul, Minn.	883
Minneapolis, Minn.	884
Minneapolis, Minn.	885
Minneapolis, Minn.	886
Minneapolis, Minn.	887
Minneapolis, Minn.	888
Minneapolis, Minn.	889
Minneapolis, Minn.	890
Minneapolis, Minn.	891
Minneapolis, Minn.	892
Minneapolis, Minn.	893
Minneapolis, Minn.	894
Minneapolis, Minn.	895
Minneapolis, Minn.	896
Minneapolis, Minn.	897
Minneapolis, Minn.	898
Minneapolis, Minn.	899
Minneapolis, Minn.	900

STAY


at the Grand Canyon on the way. Call, write or phone me and we will prepare your whole trip.

at the Grand Canyon on the way. Call, write or phone me and we will prepare your whole trip.

[illegible]

4. *Proteinuria*—the presence of
 large *albumin* molecules in the
 urine. This is a sign of renal
 disease. It is usually found
 when a blood count is taken.

A large, erect, single-brayed, multi-
jointed, and very strong animal, with
which I have perfect know-
ing, and a firm belief in the
fact in my alleged turn.


 'I庄t Blue Ribbon Beer.
 Rich in malt and tonic
 preparation of hops, makes
 an ideal drink at meals or
 'tween meals; aids diges-
 tion, soothes the nerves.

THE W. J. LILLIS & CO.
354 Tenth St., San Francisco, Cal.
Telephone Star 4123.

There are 5,000,000 Reasons

**O'SULLIVAN'S
RUBBER HEELS**

There are 5 million people wearing O'Sullivan's Rubber Heels, because of the comfort they give—the buoyancy—the rebound to every step. Every one of these 5 million people is in proof that O'Sullivan's heels are good—every one a reason why you should try them. Only 50¢, put us at any shoe-makers.

French

Savings Bank

Installing in its build-
ing modern Safe 112
post Vaults.

Cor. Sutter and Third Sts.
ABERDEEN, MONTANA

DEWEY STRONG & CO
PATENTS
100 WALL STREET, NEW YORK

What the Eagle Company's Attorney Told Grand Jury.

August 8, 1906
Evidence Given by H. C. Quinby as to Insurance *Call*



THERE has been no matter touched upon by the Grand Jury in its investigation of insurance affairs in San Francisco of more interest than the examination of H. C. Quinby, attorney for the Eagle Insurance Company. Quinby came from New York with high power as to the method of handling all cases in which his company was concerned.

There has been a good deal of discussion regarding Quinby's testimony before the Grand Jury and a wide difference in the statements as to what he said and did not say. In order that full justice may be done Mr. Quinby, as well as that the public may know exactly what he did say, The Call has taken the trouble to secure a transcript of the testimony actually given both by Quinby and by R. H. Manners, his associate. Verbatim extracts from the transcript in most cases and a fair resume in others are printed below. This is the first accurate statement of the facts given to the public.

Sent to Coast by Eagle Insurance Company

At the beginning of the session Quinby testified that he was an attorney, admitted to practice in New York. Then followed a long dispute with Deputy District Attorney Robert Harrison as to whether Quinby (by reason of this) had any right to act as an attorney in the State of California.

Quinby admitted in response to a question that he was sent to San Francisco by the Eagle Insurance Company as its attorney.

Q. Did you receive any instructions from your company?

A. I think we are up against this very question of the rights of an attorney. I beg the Grand Jury will not misunderstand me. I submit that my duties to my clients should be recognized.

Q. Then you did receive instructions?

A. Yes, sir.

Provided With Written Instructions

Q. Where are those instructions?

A. They are not in my physical possession.

Q. Were there written instructions?

A. I think I brought written instructions with me and subsequent instructions were sent by mail. They are certainly in my office in Oakland.

Q. Did those instructions contain any information as to what amount you should pay?

A. Again I am constrained, much against my will, to rely upon my privilege as an attorney.

Q. Did you follow those instructions?

A. The adjuster for the company is Mr. Manners. I presume that he has received duplicate instructions and that he has acted under them. I have tried to carry out the requirements of the company.

Q. Mr. Manners has testified that you outranked him; that he had a certain limit on payments, but that you could exceed him and that you could instruct him how to proceed. Is that so?

A. I honestly cannot say. I have given Mr. Manners some advice.

Manners Named as Adjuster

Q. Did you come as adviser to Mr. Manners?

A. I came out here as an attorney, but not with Mr. Manners.

Q. He did not settle claims without your approval?

A. He was adjuster with authority to settle claims.

He may have been limited, but he has been the one to settle the claims. Sometimes there have been certain classes of claims that he consulted me about.

Q. Mr. Manners was recognized as the adjuster?

A. Yes, sir, and he has adjusted claims.

Q. Did you have any communication with anybody before your arrival, by mail, regarding an inspection of any buildings that might have been damaged by earthquake?

A. No, sir.

Q. Did you have any such conversation immediately after your arrival on the subject?

A. Yes, sir, with S. A. Reed, and Mr. Reed has gone back to New York.

Q. What is his business?

A. I understand him to be an engineer whose duty it was to inspect buildings with reference to the damage that might have been done.

Q. Was he sent out here?

A. Yes, sir.

Q. By the Eagle Company?

A. No, sir.

Selection of the Inspectors

Q. As a matter of fact, have you not made a statement to a certain insurance man that you employed inspectors or detectives?

A. No, sir.

Q. Do you know if Mr. Manners has employed any one?

A. I do not know.

Q. Give us the names of any one you employed.

A. I, personally, did not employ any one. This is the way it was done. I visited a lawyer and explained the situation and told him I wanted him to select persons familiar with the condition of the various buildings the company was interested in or had policies on, and he personally selected those men.

Q. Who paid them?

A. They were paid by the company through me. I paid the lawyer, and then the company paid me.

Q. Who was the lawyer?

A. Henry C. Shartzer.

Facts Shown by the Reports

Q. Who are the men so employed?

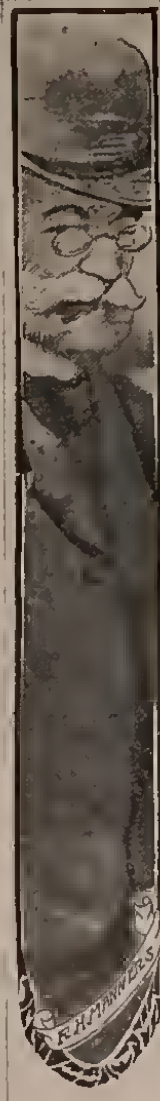
A. I only remember Constock and Powers.

Q. These reports you sent out, known as the Quinby reports, were compiled by these eight or ten men employed by the company?

A. I do not understand what you mean by the Quinby report.

Q. You did not use the report of the Fire Underwriters' Patrol?

A. I have other reports. They are the ones Shartzer handed me personally, which purport to be investigations made by him.



names of the company or companies. He said that in most cases he was dealing with the agents.

Photographs From Dealers

Q. Did you ever have photographs you got from these inspectors?

A. No, sir.

Q. You have no photographs?

A. Yes, sir, but I got them in the open market and bought them in shops.

Q. Have you used them?

A. Whenever they were pertinent and I knew who took them I would not deny I have communicated them to the company.

Q. Have you any photographs by Kytko?

A. None that I know of. Whenever I have seen photographs in shop windows that seemed to be the best kind of evidence I would purchase them. You all know these photographs show, almost invariably, slight exterior damage. These photographs I have gathered from all sources that seemed to be responsible.

Q. You never employed a photographer to take pictures?

A. Yes, sir, but not of scenes before the fire. I got here a week after the fire.

Q. Did you go and offer your services as attorney and detective to any insurance companies?

A. No, sir. The only way it took place was at their request. I have learned that it is unprofessional to solicit business.

Judge Graham Called In

At this point, because the witness refused to testify as to the companies for which he had transacted business, Judge Graham was called in. He looked over the code and said to Quinby that he was too good looking a man to send to jail and should answer the questions.

Then Quinby testified that he had been employed by the Federal, the Transatlantic, Hanover, one or two St. Paul companies, the Milwaukee Mechanics, the Phoenix of Brooklyn and one or two smaller concerns.

Q. What did these companies give you?

A. That I must claim is exempt.

As there was a question whether this inquiry could be continued Quinby was excused.

Manners Given Six-Bit Limit

R. H. Manners, adjuster for the Eagle Company, testified that he was not to exceed 75 cents on the dollar in the payment of claims, but that Quinby had authority to go higher.

Here are some of the questions asked and the answers received from Manners.

Q. What were your orders when you left New York?

A. Well, the general tone was that I should not admit liability pending investigation.

Q. And Mr. Quinby came here...

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Q. Did you come as adviser to Mr. Manners?

A. I came out here as an attorney, but not with Mr. Manners.

names of the company or companies. He said that in most cases he was dealing with the agents.

Photographs From Dealers

Q. Did you ever have photographs you got from these inspectors?

A. No, sir.

Q. You have no photographs?

A. Yes, sir, but I got them in the open market and bought them in shops.

Q. Have you used them?

A. Whenever they were pertinent and I knew who took them I would not deny I have communicated them to the company.

Q. Have you any photographs by Kyika?

A. None that I know of. Whenever I have seen photographs in shop windows that seemed to be the best kind of evidence I would purchase them. You all know these photographs show, almost invariably, slight exterior damage. These photographs I have gathered from all sources that seemed to be responsible.

Q. You never employed a photographer to take pictures?

A. Yes, sir, but not of scenes before the fire. I got here a week after the fire.

Q. Did you go and offer your services as attorney and detective to any insurance companies?

A. No, sir. The only way it took place was at their request. I have learned that it is unprofessional to solicit business.

Judge Graham Called In

At this point, because the witness refused to testify as to the companies for which he had transacted business, Judge Graham was called in. He looked over the code and said to Quinby that he was too good looking a man to send to jail and should answer the questions.

Then Quinby testified that he had been employed by the Federal, the Transatlantic, Hanover, one or two St. Paul companies, the Milwaukee Mechanics, the Phoenix of Brooklyn and one or two smaller concerns.

Q. What did these companies give you?

A. That I must claim is exempt.

As there was a question whether this inquiry could be continued Quinby was excused.

Manners Given Six-Bit Limit

R. H. Manners, adjuster for the Eagle Company, testified that he was not to exceed 75 cents on the dollar in the payment of claims, but that Quinby had authority to go higher.

Here are some of the questions asked and the answers received from Manners.

Q. What were your orders when you left New York?

A. Well, the general tone was that I should not admit liability pending investigation.

Q. And Mr. Quinby came here to go into the investigation of all facts as far as they might be found?

A. Yes, sir.

Q. You say you have adjusted no losses?

A. No. I have no power, because under my instructions I was not in a position to adjust.

Q. You have made a great many compromises by paying people where they did not care to await an adjustment?

A. I think about sixty out of 360 claims.

Q. Those you have compromised by paying 50 cents on the dollar?

A. No, I have not compromised by paying 50 cents in a single case.

No Denial Made of Liability

Q. When these people came to you who had policies, did you deny liability?

A. No. We simply refused to admit liability pending investigation.

Q. Is your company solvent?

A. Yes, sir, to the best of my knowledge.

Q. Is it able to pay all claims?

A. Yes, all proved claims.

Q. You were limited in the compromising of claims from 50 to 75 per cent?

Mr. Harrison interposed a question.

Q. Mr. Quinby had authority to go higher?

A. Quinby's authority was 75 cents, with the option

Q. He did not settle claims without your approval?

A. He was adjuster with authority to settle claims. He may have been limited, but he has been the one to settle the claims. Sometimes there have been certain classes of claims that he consulted me about.

Q. Mr. Manners was recognized as the adjuster?

A. Yes, sir, and he has adjusted claims.

Q. Did you have any communication with anybody before your arrival, by mail, regarding an inspection of any buildings that might have been damaged by earthquake?

A. No, sir.

Q. Did you have any such conversation immediately after your arrival on the subject?

A. Yes, sir, with S. A. Reed, and Mr. Reed has gone back to New York.

Q. What is his business?

A. I understand him to be an engineer whose duty it was to inspect buildings with reference to the damage that might have been done.

Q. Was he sent out here?

A. Yes, sir.

Q. By the Eagle Company?

A. No, sir.

Selection of the Inspectors

Q. As a matter of fact, have you not made a statement to a certain insurance man that you employed inspectors or detectives?

A. No, sir.

Q. Do you know if Mr. Manners has employed any one?

A. I do not know.

Q. Give us the names of any one you employed.

A. I, personally, did not employ any one. This is the way it was done. I visited a lawyer and explained the situation and told him I wanted him to select persons familiar with the condition of the various buildings the company was interested in or had policies on, and he personally selected those men.

Q. Who paid them?

A. They were paid by the company through me. I paid the lawyer, and then the company paid me.

Q. Who was the lawyer?

A. Henry C. Shartzer.

Facts Shown by the Reports

Q. Who are the men so employed?

A. I only remember Comstock and Powers.

Q. These reports you sent out, known as the Quinby reports, were compiled by these eight or ten men employed by the company?

A. I do not understand what you mean by the Quinby report.

Q. You did not use the report of the Fire Underwriters' Patrol?

A. I have other reports. They are the ones Shartzer handed me personally, which purport to be investigations made by the men who were employed.

Q. And all these reports, do I understand, tend to prove that the buildings your company insured have been largely damaged by the fire?

A. By jingo, on the contrary, the information I turned in to the Eagle company was very consistently astonishing in the statements of San Francisco witnesses that the buildings had been very slightly damaged or that they had merely cracks in the walls.

Retained by Several Companies

Q. You sold or offered to sell reports to other insurance companies?

A. No, sir.

Q. As a matter of fact, don't you know that at a meeting of the "35" Mr. Abbott offered a resolution in the meeting that they purchase your reports for \$500, and that you be paid an additional \$500 for further information?

A. That is all news to me. Several insurance companies retained me, but I have never offered to sell anybody any set of reports. I was in act as counsel for the insurance companies for various purposes; to locate witnesses who could testify honestly and fairly as to the condition of buildings before and after the earthquake. I was not employed by any other company than the Eagle until very recently.

At this point Quinby was requested to give the

as an attorney to go higher. I did not take that authority because I was limited from 50 to 75 cents. But I never offered anybody less than 75 cents.

Q. Then, under your instructions, you were not to go higher than 75 cents on the dollar?

A. Seventy-five cents is right.

Manners drew a distinction between denying liability and not admitting it. He refused to adjust losses pending investigation, but was prepared to compromise.

SIMPSON CONFIRMS DABNER'S CONFESSION

Heartless Criminal Relates Details of Bloodthirsty Crimes in Nonchalant Manner.

Nov. 7, 1906
Chicago

JOHN SIMPSON was confronted last night with Louis Dabner, and in the presence of Chief Dinnah, Captain Boker and representatives of the press, he confirmed the confession of Dabner, made in the morning, and without hesitation and in a unshakable manner, delivered his blood-crimes of the last few months as though they were the most ordinary occurrences.

Simpson said there were three men concerned in the robbery of the North end last Saturday night, and it was the third man who, in striking at Dabner, inflicted the fatal wound. Simpson, in the anger, it was for this way that his finger was injured, and not by being bitten by Dabner, who did have Simpson's thumb in his mouth.

His cold-blooded statement, following are a few of the remarks made by Simpson in the interview, and which he said were true, and showing his cold, bloodthirsty temperament and his utter lack of moral sense.

"I had had my own gun with me the night I was arrested. I would have gone to ————
"John von Hofen was not forced to marry me.
"My father was one of the wealthiest residents in the island.
"I have forgotten the most of my religion, but I suppose I am going to ————
"I had done one hit and did not care what because of me, I was allowed by my family and had, and have now, no care for the future.
"Louis Dabner came into the home with me of his own volition after I had told him it was only a question of time until we would be set up.
"I am sorry that the men were killed, but I don't care a rap about what happened."

Simpson is one of the greatest criminals of the century. Of good address, excellent education, and a wealthy parentage, man of mystery and apparently without a conscience, he is said to have committed numerous crimes without the slightest hesitation. He has been a professional thief since he was a boy, and it is said that he has been known to kill a man who had been a thief like him.

Asked how the injury was received, he made the first break and revealed the fact that there was a third man in the party. In telling of the attack in the jewelry store Simpson said that he had been bitten in the finger by Dabner.

And when pressed on this question said: "Some day maybe I will write the story of my life."

PARITY DISOWNED HIM.

Piled with more questions and urged to tell something about himself, he said: "That's the way. My family allowed me some years ago. There is no reason why they should ever know anything about me. I am a dead end and I know it. I have forgotten about all the people I ever knew and have no time to think about them. Maybe I will go to ———— but at the present time I don't care."

Again, when Chief of Police Dinnah suggested to him that he might need a spiritual adviser, he replied that the police would not have the opportunity to consult one if he had had his gun with him for the night he was arrested.

"I made a mistake out of my fellows for a short time," said he, "but you finally landed me and I know it was only a question of time. At one time I intended to leave the city and would have blown it if I had not been for the woman who is now my wife. I am free to admit that I was foolish in coming up to the station to report that I had been held up, but if Louis had not told I would have let away with it all right. It was simply a stall on my part. My wife was waiting for me when I walked into the manure shop and I had to make some kind of a stall, and I told her about feeling held up. I went around to a drug store close by where the injury was dressed and then afterward went to police headquarters to see what had been done with Louis."

THIRD MAN IN PARTY.

Asked how the injury was received, he made the first break and revealed the fact that there was a third man in the party. In telling of the attack in the jewelry store Simpson said that he had been bitten in the finger by Dabner.



LOUIS DABNER.

DABNER AND SIMPSON CONFESS

They Tell of Slaying Friede, Piltzner and Manager Munakata.

(Continued From Page One.)

I finished a note to Dr. Land in my own handwriting and wrote the address on the box.
Simpson said to Land: "Throw up your hands, and confess a gun as soon as you can. I am going to tell the police that you shot Simpson and the other men in the jewelry store."



JOHN SIMPSON.

murders were committed by the same men.

Serving a sentence of forty years in San Quentin prison is James Sutton, who was convicted of the highway robbery of ex-Coroner Dr. T. B. W. Leland, to which crime Louis Dabner confessed yesterday morning.

Sutton, however, was given a severe sentence for prior convictions under the cumulative law, and because at the time of his arraignment before Judge Garrett took the attack to assault the judge with the intention of blinding his hands. Because of this attempted assault Judge Cook refused to sit in the case, and Judge H. W. Sargent was called upon to preside.

After holding up Dr. Leland and J. H. Dockweiler they were prepared for a grave crime.

THEIR FIRST MURDER.

The most cold-blooded crime up to this time was committed two days later, on August 20th, when two men entered the small general store of John Piltzner at 264 McAlister street, and under the pretense of purchasing a pair of shoes, struck Piltzner upon the head with a window weight. With one skull fractured, Piltzner fell to the floor, stunned and bleeding. The window weight was found under the body, and from the man's pocket, \$120 and a gold watch were missing.

The crime was discovered by Mrs. M. M. Smith, formerly of 224 Pittman street, shortly after Piltzner was murdered, and the man was brought to the hospital and Piltzner was called to the Central Emergency hospital an operation was performed, and the surgeon working upon the case announced that the fracture was the worst that had ever been brought into the hospital, from such a cause. Not an inch of the entire brain covering the bone was intact, and the brain was entirely uncovered.

The most deliberate and desperate

crime was committed on September 14th, when two men entered the small clothing store of William Friede, at 1383 Market street, in broad daylight and struck him down, and then hurried from the store, leaving the proprietor in a dying condition.

This assault was well planned. One of the men naked to be measured for a suit of clothes. As Friede was bending down taking the measurement he was struck several times and dropped to the floor, bleeding profusely. The man and Robert Anderson, two children living in the neighborhood, went into the store about half an hour after the crime had been committed, and were attracted to the suffering man by his screams. He lived six days without regaining consciousness.

PLEW AT MURDER GAM.

The most successful robbery, which also resulted in a murder, being the robbery \$200 in coin and currency. It occurred during the afternoon of October 24, when two men, apparently the same criminals who did the Friede and Piltzner jobs, entered the Kimmon of O'Farrell and Webster streets, and struck down Manager St. Munakata and a Sasaki, his assistant. The two desperadoes evidently entered the bank under the pretense of doing business, and with a long blade of a dagger, wrapped in paper, struck down their victims. Shinkawa died instantly, but Sasaki is slowly recovering at Lane Hospital. Although every effort has been made by the police to obtain a statement from Sasaki, his memory fails as to the incidents which occurred immediately before the murder was committed. Sasaki, however, remarked in Japanese to the police as he layed into unconsciousness the "Two white men came."

The Piltzner street crime of the "white men" at 1383 Piltzner, near Paul

San Francisco Examiner

SAN FRANCISCO, THURSDAY, AUGUST 8, 1907.

No. 39.

WOMAN MANGLED BY DEADLY OVERHEAD TROLLEY Victim Widow of Cecil Rhodes' Former Associate

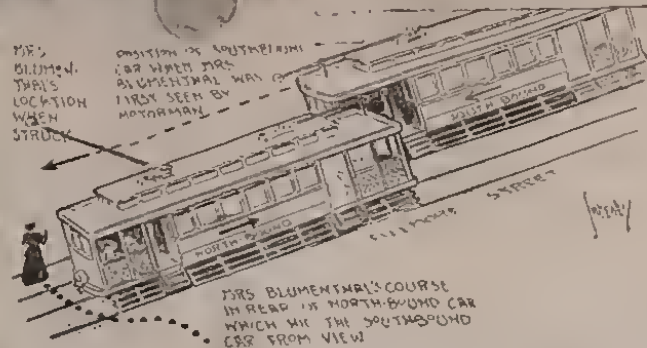
Mrs. Pauline Blumenthal, Killed by a Trolley Car

Examiner Aug 8, 1907



BELIEVED SHE WAS AN EARLY BRITON

I AM of the opinion that in my previous incarnation I was one of the early Britons in the time that the Christian religion was first introduced into England, and can recollect myself as being a half-naked, hunted-down savage peering out of the bush at an early Christian church with feelings of curiosity. This is a fact I am telling, and not a fairy tale. I can distinctly remember a scene of a low, ornate church in a clearing in the forest and myself peering out of the outskirts of the forest at the church. More than this I do not remember, but at the time it came to my memory—it was years ago—it was perfectly distinct and clear. I may have been a Roman previously, but I am not aware of the fact. From the theosophical meditations of Mrs. Pauline Blumenthal.



The picture shows a portrait of the victim, photograph of some of the jewelry she wore, a facsimile of her certificate of admission to the Eastern School of Theosophy, and a diagram showing how Mrs. Blumenthal met her death.

CUT IN TWO BY CAR THAT DASHES DOWN GRADE UNCHECKED

Mrs. Pauline Blumenthal, Disciple of Mme. Blavatsky and Katherine Tingley, Whose Husband Gained Wealth in Transvaal, Meets Shocking Death on Fillmore Street

BRAKES ARE OF NO AVAIL

MRS. PAULINE BLUMENTHAL, of 2329 Sacramento street, widow of the former business associate of Cecil Rhodes, who founded the South African empire, theosophist, devotee of Madame Blavatsky, a friend of Annie Besant, author of "Esoteric Christianity," and of Katherine A. Tingley, the Purple Mother of San Diego, whom she was initiated into the rites of the mystic cult at Casa Loma met with a shocking death under the wheels of a Fillmore street overhead trolley car yesterday while on her way home from a shopping trip.

Emerging from an alley between Pine and Bush streets, she passed behind a northbound car on the main track just as a southbound car was speeding down the grade.

The car tearing down the hill, No. 1380, manned by Motorman C. O. Hill and Conductor Thomas Watson, and the unfortunate positions of Mrs. Blumenthal and the northbound car were such that the big coach on the down grade was completely screened from her view.

WOMAN UNABLE TO ESCAPE HER DOOM

As Mrs. Blumenthal stepped from behind the northbound car she instantly realized her danger. Motorman Hill also realized the peril of the situation, and frantically rang his bell, and apparently did all in his power to bring the car to a stop. The jangling of the bell, and the terror of her impending fate, seemed to completely unnerve the unfortunate woman. The witnesses declare she was scarcely able to move. However, she made one feeble effort to save herself, but before she was out of danger the big car had leveled her to the ground and passed over her body.

A few of the bystanders thought they heard a low groan as the forward trucks of the car struck her body. But when the brakes fulfilled their mission all was still. A great crowd collected instantly, and menacing threats were made against the conductor and motorman.

"Lynch them! Hang them! Bring them to the telegraph pole! They're non-union men!" and other such epithets and menacing suggestions were shouted by the most brutal people in the crowd, and for a time it looked as though the motorman and the conductor would be violently handled by the mob.

BODY CUT IN TWO BY TROLLEY WHEELS

When the excitement was at its height a couple of policemen and Deputy Coroner Robert Burke with an assistant, appeared on the scene, and after considerable wrangling peace was restored and the work of removing the remains from beneath the wheels of the car begun.

Death must have been instantaneous, for the woman had been actually cut in two. Both sections of the body were horribly and indescribably mutilated. So terrible had the deadly trolley done its work that the remains had to be gathered piece-meal and placed in a large basket.

It was not until evening that the remains were definitely identified. The cards and documents showed her to be associated with Katherine Tingley pointed to the fact that she was Mrs. Pauline Blumenthal. But beyond that no one knew anything of her personal history, place of residence or her family connections.

With the coming of evening two of her sons, Joseph and Louis Blumenthal, reached the scene. They were an anxious and distressed pair, anxious to view the remains of their late mother. The dead trolley, they no sooner saw the face of the dead woman, which had marvelously escaped mutilation than they burst into tears and threw themselves into their arms, completely giving way to their great grief.

ograph of some of
admission to the
New Mrs. Blum.

At the Morgue an examination of the woman's effects revealed a card signed by Katherine Tingley, testifying to her initiation into the Eastern School of Theosophy in 1897, and some typewritten manuscript of theosophical meditations in which Mrs. Blumenthal dwelt on what she considered were her previous incarnations. These meditations, re-

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AN AMERICAN PAPER FOR THE AMERICAN PEOPLE San Francisco Exam

SAN FRANCISCO, THURSDAY, AUGUST 8, 1907.

WOMAN MANGLED BY DEADLY Victim Widow of Cecil Rhodes

Mrs. Pauline Blumenthal, Killed by a Trolley Car

Exam Aug 8 1907



Mrs. Blumenthal's location when struck.

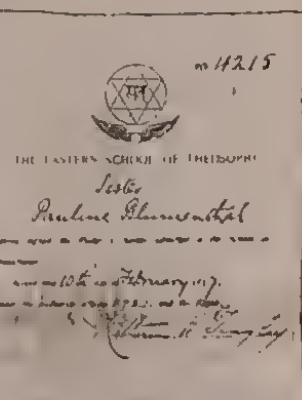
Position of trolley car when Mrs. Blumenthal was first seen by motorman.

Mrs. Blumenthal's course in road of North-bound car which hit the South-bound car from view.

The picture shows a portrait of the victim, photograph of some of the jewelry she wore, a facsimile of her certificate of admission to the Eastern School of Theosophy, and a diagram showing how Mrs. Blumenthal met her death.

BELIEVED SHE WAS AN EARLY BRITON

I AM of the opinion that in my previous incarnation I was one of the early Britons in the time that the Christian religion was first introduced into England, and can recollect myself as being a half-naked, hunted-down savage peering out of the bush at an early Christian church with feelings of curiosity. This is a fact I am telling, and not a story told. I can distinctly remember a scene of a low, unsightly church in a clearing in the forest and myself peering out of the outskirts of the forest at the church. More than this I do not remember, but at the time it came to my memory—it was years ago—it was perfectly distinct and clear. I may have been a Roman previously, but I am not aware of the fact. From the theosophical meditations of Mrs. Pauline Blumenthal.



WOMAN IS GROUND TO DEATH UNDER TROLLEY WHEELS

Mrs. Pauline Blumenthal, Theosophist and Wealthy, Meets Fate on Fillmore Street.

PARALYZED ON THE TRACK

Victim Was Widow of Former Associate of Cecil Rhodes in Transvaal.

Teachings of Madame Blavatsky and accepted the doctrine of previous incarnations with the direct faith of a spiritualist. A morocco purse with stirring silver ornaments contained a little over \$2 in silver, two stamps of the Cape of Good Hope and a visiting card reading, "Mrs. P. Blumenthal, 113 No. 307, Johannesburg."

Laden With Jewels.

Jewelry worth \$1,150 was found among the woman's effects, including a brooch containing the portraits of her three sons and a young woman, a matinee ring, a ring with a setting of two diamonds, another with a setting of three diamonds, a wedding ring, a gold bracelet of the Union Jack, a pair of pearl earrings and a gold chain. The woman was a widow of Cecil Rhodes, who had been a partner in the Transvaal. Mrs. Blumenthal was of robust build and had the face and head of the religious enthusiast. Her dark hair was just beginning to be streaked with white, and she had eyes of striking appearance. Since coming to San Francisco she had led a very quiet life, passing most of her time at home with her son and in the company of her son. The son was interested in theosophy in their younger days, but withdrew from the society when it began to be involved in factional dissension.

Puzzled as to Identity.

The morgue officials spent several futile hours trying to learn the identity of Mrs. Blumenthal before her body arrived. They were puzzled in opinion as to her social position, her dress being so torn and soiled by the accident as to give no indication of its quality. The tangled hair was still matted and stuck to the face. No one at the morgue was able to judge the value of these things or the other jewels, and it was thought for a time that the woman was of poor extraction. The morgue authorities got in communication with T. Hoffman, who represents the Hebrew Kutska Benevolent Society, and asked him to identify the body. Hoffman was engaged in an effort to learn the identity of the woman when the son called and arranged for the private burial of their mother. The family, since coming to San Francisco, had been in the company of Rabbi Nisim, who will undertake the funeral of the Blumenthals.

Was Prominent in Theosophy.

Several hours after the accident an automobile with two young men drove up to the morgue. The men introduced themselves as Joseph and Louis Blumenthal, sons of a former business associate of Cecil Rhodes, and identified the body as that of their mother, Pauline Blumenthal, 51 years old, a native of Great Britain, who had lived twelve years in the Transvaal. Joseph Blumenthal explained that he had arrived here with his mother in the middle of June and it was the second time two weeks ago and it was the intention of another brother, Sydney, to come later on. Mrs. Blumenthal, they explained, met Katherine Tingley in New York while travelling in this country ten years ago. She renewed this acquaintance later in London, where she also became intimate with other leaders of the theosophical sect. Joseph Blumenthal had been in the mining business in the Transvaal and his other brothers were men of affairs there. It was the intention of all three to settle permanently in San Francisco.

Mrs. Blumenthal left their apartments at 2325 Sacramento street yesterday morning to do some shopping. When the accident happened, about an hour later, she was carrying a newly purchased pair of shoes and a bag containing some trinkets.

C. O. Hill, the motorman, and Thomas Watson, the conductor of car 134, were locked up at the Fillmore street station charged with manslaughter. Both declared that the accident could not have been avoided under the circumstances.

CAR WRECKS WAGON AND CREW THREATENED

A Turk-street car dashed into a wagon belonging to Blackmore & Co. at Turk and Franklin streets last night, wrecking the wagon and slightly injuring the driver, C. M. Hill. A large crowd gathered about the car, and a demonstration was held. The mob was on the point of dispersing the men from the car, but a squad of police arrived and dispersed the crowd.

STRUCK BY CABLE CAR CONTRACTOR INJURED

J. M. Fairchild, a railroad contractor, was knocked down by an out-of-control cable car near Drumm and California streets yesterday, sustaining a severe injury to the back. Fairchild is in confusion of the back. He was charged with the care of the cable car. The cable car was struck by the contractor's car, and the contractor was thrown from the car. The cable car was struck by the contractor's car, and the contractor was thrown from the car. The cable car was struck by the contractor's car, and the contractor was thrown from the car.

CREW OF LEAKY VESSEL FORCE RETURN TO PORT

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Laden With Jewels
Jewelry worth \$100,000 was found among the possessions of a woman who was found dead in a room at the Hotel de Ville, Paris, last night. The woman was found by a maid who was cleaning the room. The woman was found lying on the floor, and her body was covered with jewelry. The jewelry included a diamond necklace, a diamond bracelet, a diamond ring, and a diamond brooch. The woman was also found with a large sum of money. The police are investigating the case.

Puzzled as to Identity.
The woman's identity is still a mystery. The police are trying to identify her by looking at her fingerprints. They are also trying to find out who she was with when she was found dead. The woman was found in a room that was rented by a man who was also found dead. The man was found with a large sum of money. The police are investigating the case.

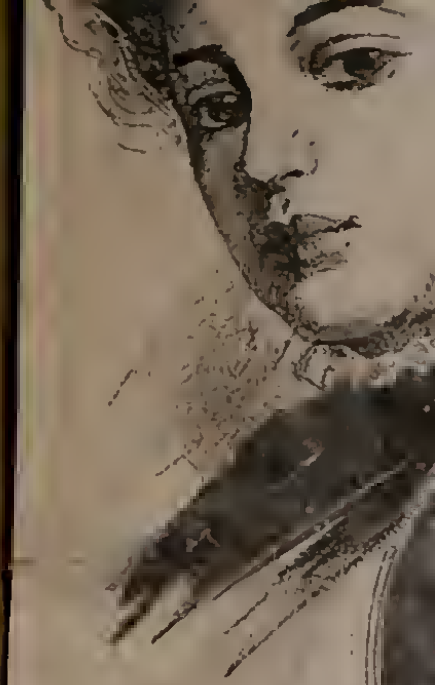
Was Prominent in Theosophy.
The woman was a prominent member of the Theosophical Society. She was known for her work in the society and for her interest in the occult. She was also known for her interest in theosophy. The police are investigating the case.

CAR WRECKS WAGON AND CREW THREATENED
A Turkish steam car dashed into a wagon belonging to Blackwater & Co at Turk and Franklin streets last night, wrecking the vehicle and slightly injuring the driver. A large crowd immediately gathered about the car, making the already demonstrative crowd. The mob was on the point of dragging the men from the car when a squad of police arrived and dispersed the crowd.

STRUCK BY CABLE CAR. CONTRACTOR INJURED
J. M. Fairchild, a railroad contractor, was knocked down by an eastbound California street cable car near Drum street yesterday, sustaining a severe contusion of the back. Fairchild is in charge of the raising of the roadway on Lower California street. He was passing in front of a standing car, when the grillman suddenly let the grill take the wire and the car started, striking Fairchild and dragging him some distance. The grillman was a green hand.

CREW OF LEAKY VESSEL FORCE RETURN TO PORT
Labor Night and Day at Pumps to Keep Lillibonne Afloat.
Leaking and manned by a mutinous crew, the schooner Lillibonne, Captain Oscar Johnson, crawled into this port last night. The vessel left here last Friday bound for the salmon fisheries in Alaska. A gale was encountered and the schooner sprung a leak. The crew refused to continue the voyage and, despite the protests of the captain, compelled him to put about and return to port.

When 100 miles from port the schooner ran into a heavy northwest gale. The forward beams opened and when the wells were gounded there was two feet of water in the hold. All hands worked at the pumps day and night, but made no headway against the leakage. Then the men went aft and demanded that the skipper return to port. Captain Johnson insisted the vessel would continue. Sunday Captain Johnson was compelled to fire to his men. When the Lillibonne returned here the men were worn out by constant work at the pumps.



TWO CLAIM TO BE GAMBLER'S WIDOW

"He Never Divorced Me,"
"There Was No First Wife,"
Charge and Answer.

A suit for the half-million dollar estate left by the late Joseph Harvey, the well-known poolroom man, is in his last stages in the local courts, with two women as the opposing contestants.

The right of Mrs. Louisa Harvey to the widow's share of the late sporting man's property is disputed by Mrs. Jane Harvey, an intimate of the late Joe.

Mrs. Jane Harvey claims that she was Joe's first wife of Joseph Harvey, and that she is legally entitled to a share of the estate which was bequeathed to Mrs. Louisa Harvey.

In a lustrous flat at The Franklin street is Mrs. Louisa Harvey, wearing widow's weeds for her husband, who died scarcely ten days ago. She is confident of her right to the immense estate bequeathed to her by her husband's will. She is confident that she is the legal widow of Joseph Harvey and that no one has the right to question her claim.

In an equally comfortable home at 1858 Ellis street is Mrs. Jane Harvey, not so mourning. It is true, but at the same time possess a of the firm conviction that she, too, has indisputable rights to the properties of Joseph Harvey.

Will Fight in Courts.
This conviction has lead her to the conclusion that she will fight in the courts.

Mrs. Louisa Harvey is a woman of about 40 years of age, with dark hair, and is a well-known figure in the local courts. She is a widow and has a large estate. She is confident of her right to the estate and is willing to fight in the courts. Mrs. Jane Harvey is a woman of about 30 years of age, with light hair, and is also a well-known figure in the local courts. She is a widow and has a large estate. She is confident of her right to the estate and is willing to fight in the courts.

War of Women Promised For Harvey's \$500,000

The upper portrait is of Mrs. Louise Harvey, with whom Joseph Harvey resided at the time of his death and to whom he bequeathed a large portion of his estate, valued at \$500,000. The other picture is of Mrs. Jane Harvey, who says she was the wife of Harvey for fourteen years, and that he did not divorce her before he died again.

Examiner



TWO CLAIM TO BE GAMBLER'S WIDOW

"He Never Divorced Me;"
"There Was No First Wife,"
Charge and Answer.

A fight for the half-million dollar estate left by the late Joseph Harvey, is to be instituted in the local courts, with two women as the opposing contestants.

The right of Mrs. Louise Harvey to the widow's share of the late sporting man's property is disputed by Mrs. Jane Harvey, an intimate of the late Mrs. Charles Fair.

Mrs. Jane Harvey claims that she was the first wife of Joseph Harvey, and that they never was a divorce and that she is legally entitled to a share in the estate which was bequeathed to Mrs. Louise Harvey.

In a luxurious flat at 110 Franklin street is Mrs. Louise Harvey, wearing widow's weeds for her husband, who died scarcely ten days ago. She is confident of her right to the immense estate bequeathed to her by her husband's will. She is confident that she is the legal widow of Joseph Harvey and that no one has the right to question her claim.

In an equally comfortable home at 1066 Ellis street is Mrs. Jane Harvey, not in mourning. It is true but at the same time possessed of the true conviction that she, too, has indisputable rights to the property of Joseph Harvey.

Will Fight in Courts.

This conviction has lead her to the determination of testing her rights in the courts and she yesterday outlined her plans in the following words:

"I was the wife of Joseph Harvey for fourteen years. There was no divorce. There was only a separation. This woman, the second wife of Mr. Harvey, supplanted me in his affections while I was away in Europe. He was legally married to her. It is true, but I have rights and I mean to assert them. I shall commence proceedings in the near future to contest the will of Mr. Harvey. I am not at liberty at the present time to tell who my attorneys are."

And Mrs. Louise Harvey makes answer to Mr. Jane Harvey in the following words:

"I know of no first Mrs. Harvey. Mr. Harvey in life made me his confidant. He told me everything, even going on trips with me, and he never mentioned me. I am sure he never had a first wife to his first wife."

"I was married to Mr. Harvey on December 18, 1902, at Redwood City, Cal. The legality of our marriage was never disputed."

"I have no fear of any contest of"



MRS. JOHN MARTIN SUES RIGO'S WIFE FOR SLANDER

Aug 5 1907
Declares Woman Is Original
Clara Ward and Conceals
Her Identity.

BRINGS UP OLD CHARGES

Claims Gypsy's Wife Accused
Her of Hounding and
Threatening Her.

Special to Times and Herald (The World)
NEW YORK, August 5.—Mrs. Isabelle J. Martin of San Francisco, best known there as Mrs. John Martin, is the central figure of the latest sensational chapter in the checkered career of Janecz Rigo, the Gypsy violinist whose marriage to the Princess Chimay was an international scandal. Mrs. Martin has filed a suit for slander against Mrs. Catherine Rigo, present wife of the violinist, who is a cousin of the Princess and was formerly Mrs. Cooper Emerson of this city. Mrs. Martin makes a number of startling assertions and wants \$250,000 damages from Mrs. Rigo.

Most startling of Mrs. Martin's allegations is that Mrs. Rigo is not Mrs. Emerson at all, but is the Princess Chimay, herself incognito. About a month ago Mrs. Martin made her presence in New York known to the Rigos, and according to them she insisted that Mrs. Rigo was the Princess Chimay in disguise and that she was the mother of a 15-year-old boy whose parentage she refused to acknowledge.

According to her complaint Mrs. Martin says she believes that the present Mrs. Rigo is really the Princess, but that she had been flitting back and forth between Europe and America during the past five years under many aliases. She alleges that Mrs. Rigo informed her that she had all the skin burned from her face to erase the criminal stain that was tattooed there and also had her arm burned to erase the Chimay coat of arms and Rigo's name tattooed on the flesh.

Concealing Identity.

According to Mrs. Martin's complaint, numerous stories have been made up by Thomas Lyon of Chicago, uncle of the one-time Clara Ward, and by Mrs. John Morris, Clara Ward's mother, to slink into oblivion the past scandals at the Princess Chimay by concealing her identity.

The suit is based on statements which Mrs. Martin says were made against her by Mrs. Rigo here recently. Mrs. Rigo says that Mrs. Martin met her husband some weeks ago in a Broadway restaurant and accused her of being the Princess Chimay. Mrs. Rigo says that Lucy M. Martin charged her with the maternity of a boy who accompanied Mrs. Martin in the restaurant at the time of their last meeting. Whether this boy is the "Baby" Martin who figured in the famous Martin case in San Francisco some years ago is not known. Mrs. Rigo said that Mrs. Martin threatened to blind her with vitriol unless she confessed she was the Princess Chimay. The Gypsy's wife also claimed that she was followed about by strange men, whom she believed were detectives in the employ of Mrs. Martin. She says she believes Mrs. Martin is in league with the family of Clara Ward. These rather vague statements of Mrs. Rigo regarding the actions of Mrs. Martin are made the basis for the latter's suit.

Rigo's Wife Annoyed.

Rigo and his wife are now in Atlantic City, where he is giving a series of concerts.

"I have been greatly annoyed by this Mrs. Martin," said Mrs. Rigo to-night. "I believe she is no less than an agent of the devil, of my husband's former wife, who desire to separate Rigo and me. Mrs. Martin has threatened to do me bodily harm and I am almost afraid to leave my room. I am informed that she is seen frequently here in Atlantic City around the place where my husband is playing. I do not propose to tolerate her annoyances any longer and shall invoke the law to keep her from bothering Rigo or me any longer."

Mrs. Martin recently obtained considerable notoriety here because of a story printed that she attempted to shoot a fire insurance company president because of the company's failure to settle some of her losses in San Francisco. Mrs. Martin afterwards stated, however, that she did not intend to do the insurance official any harm, but merely wished to discuss her claims with him.

J. C. Dies in Petaluma.

PETALUMA, August 5.—J. C. Owen, father of Mrs. A. Boodle of Petaluma, died Sunday. He had been ill for some time, and when he heard that his only sister, Mrs. R. B. Cannon, had lost her life on the ill-fated Columbia he rapidly failed until death relieved his suffering.

Deceased was seventy-six years old. He leaves a widow and the following children: Mrs. A. Boodle, Petaluma; Mrs. C. A. Maxwell, Mrs. William Smith, Napa, and C. C. Owen of Sacramento.

PASSENGERS RIDE AND PAY FARE May 11 1907 WHEN CAR SERVICE IS RESUMED

MULLALLY DIRECTING STRIKEBREAKERS

This is a snapshot photograph taken of one of the cars on the Sutter-street line this morning, showing Thornwell Mullally, assistant to President Calhoun, on the platform superintending the operation of the cars through the burned district.



WOMAN BRAVES CROWD TO RIDE

Four cars, the first carrying Thornwell Mullally, ran down Sutter street to Market street at half-past 11 o'clock this morning. They were greeted with howls and dangerous missiles as they passed buildings in course of construction. Stones, sticks and pieces of steel were hurled from various structures by workmen.

As the first car passed the new Sherman & Clay building, at the corner of Kearny and Sutter streets, mechanics on the top stories threw some of these deadly missiles, and a lady passenger, evidently in fear of her life, alighted.

Very slight demonstrations attended the running of cars down Turk street from Fillmore to Market. Five cars along this route carried many passengers in perfect safety. When Eddy and Market streets was reached the cars turned back, taking other passengers and running out to Divisadero and beyond.

With cars already running on Sutter, Turk and Eddy streets and more in preparation, the United Railroads bus in really restored its service and claims that the strike is broken. They announce that good service will be given tomorrow.

Five cars left the Turk-street car barn at half past ten o'clock, ran down Turk street and Eddy to Market, switched back to Divisadero and continued in their course through the Western Addition. There was almost complete absence of hostile demonstration.

Hugh A. Campbell, a retired real estate dealer residing at 2517 California street, who was a passenger on the first car, was struck in the shoulder by a brickbat but was not hurt.

The first car to pull out from the Turk-street shed was number 1369, with Motorman George Williams at the controller. Before it had proceeded far three passengers boarded it. These were R. P. Hurlburt, a contractor of 1232 Masonic avenue; Hugh A. Campbell of 2517 California street, and M. Rosenbloom, a cigar dealer of 1735 Buchanan, and Theodore Kytko, the handwriting expert.

Traffic Superintendent Jones and a number of inspectors followed the cars in automobiles.

Cars 1372, 1381, 1362 and 1361 followed close on car number 1369 and traversed the same route. All of them carried passengers.

On the fifth car which was run by motorman O. Price of Chicago F. H. Smyth, assemblyman from Lake County and Glenn counsellor and G. H. Hinkleman of South San Francisco, were passengers.

One of the strikebreakers on the second car carried a big stick, but otherwise the men seemed to be unarmed.

When the cars ran past Van Ness avenue they were warmly cheered by the crowds of shoppers on that thoroughfare. Passing the refuge camp at Jefferson Square there was some hooting and hissing from the refugees, who were drawn up along the sidewalks.

The first woman passenger got on the car at Fillmore street. She was Mrs. M. Ransome, who lives on Fourteenth avenue, in the Richmond district. She carried two heavy bundles

and declared she was too old to walk. So there was a cheer as she got aboard and rode as far as Divisadero.

Other passengers picked up on the way were W. E. Brantley, an Oakland attorney, and J. H. Batchelder, who resides at the Family Club.

An incident of the return trip was the collection of a sum of money by R. P. Hurlburt, one of the passengers, the money being distributed among the car crew.

At Turk and Fillmore streets a brick was thrown by George A. Blackford, a cook, and he was arrested by Detective Gibbons.

PICTURES FROM SEVERAL POINTS

Chron May 12 1907
City Will Be Photographed by Camera Fraternity for Future Use.

The camera fraternity will be abroad to-day in an effort to take the most telling panoramic photograph of the city on the anniversary of the fire, and incidentally to win the \$50 prize offered for such picture by the California Promotion Committee. Many photographers, both amateur and professional, have reported their intention of entering this contest, and the business houses and shipping of the city are going to do their part and "look pleasant" by flying their flags all day. The committee selected to make the award consists of Captain Robert Fritcher, director of the San Francisco Institute of Art, chairman; William H. Meison, president of the Park Commission, and G. Knight White, president of the California Camera Club.

The competing pictures may be taken from any vantage points the photographers may select. Some will doubtless choose Nob Hill, others Twin Peaks, and still others Russian Hill, Lincoln Hill, Telegraph Hill, the bay and other points of view. And some, doubtless, will take views from all of these or other points, as the number of pictures submitted by any one photographer is not limited under the terms of the competition.

JOHN P. DUNNING DIES IN THE EAST

Chron Apr 18 1907
Veteran Newspaper Man Who Told Story of Samoan Hurricane.

PHILADELPHIA, April 17.—John P. Dunning, well-known in newspaper circles throughout the country, died to-day in a hospital here of tumor on the brain. He was 44 years of age.

Dunning first came into notice as a newspaper writer of exceptional ability in 1889. He had been sent to Samoa by the Associated Press to watch for developments in the Samoan difficulties, the naval squadrons of the United States, Great Britain and Germany having gathered at that place. On March 15, 1889, a great hurricane swept over the islands, and fifteen merchant vessels and six men of war were piled up on the shores of Apia bay and 142 officers and men of the American and German war ships lost their lives.

Dunning was upon the scene throughout the hurricane, which lasted thirty-six hours, and related the harrowing story of the storm. He wrote a 30,000-word story of the storm, the wrecking of the war ships and the rescue of the sailors, which has been considered a model descriptive writing.

Dunning acted as war correspondent of the Associated Press in Cuba, Porto Rico and the Philippines. He landed with General Roosevelt's Rough Riders in Cuba, and his was the first story sent out of the amphibious of San Juan, in which Hamilton Fish was killed.

JOHN P. DUNNING DIES IN HOSPITAL

Exam Apr 18 1907

PHILADELPHIA, April 17.—John P. Dunning, well-known in newspaper circles throughout the country, died to-day in a hospital here of tumor in the brain. He was forty-four years of age.

John P. Dunning was known in San Francisco in connection with the Cordelia Barker murder case. Mrs. Barker was convicted of causing the death of Dunning's wife in New Jersey by means of poisoned candy, which she sent through the mails. Dunning and Mrs. Barker were very friendly in this city, where Dunning held a position with the Associated Press. Dunning came here from the East to testify against Mrs. Barker.

In 1889 Dunning was in Apia just after the destructive hurricane and wrote a vivid description of the disaster, which was telegraphed all over the world. Dunning also acted as correspondent in the Spanish war and scored several "scoops."

Bacon Gable Restaurant formerly on Broadway now open at 333 Washington st. near Montgomery. —J. H.—Adm.

York, 42; Washington, 46; Pittsburgh, 22; St. Paul, 30; Jacksonville, 22; Los Angeles, 48.

On All News Stands, 10 CENTS

GOVERNOR WATCHES.

Los Angeles Times
May 12, 1907.
Soldiers May Get Busy Monday.

State Executive Sees Bricks Volleyed at Cars in San Francisco.

Critical Stage of Bay City's Fight With Unions Begins Today.

Strike Leaders Beg Dupes to Be Good Till Gillett Leaves City.

(BY DIRECT WIRE TO THE TIMES)
SAN FRANCISCO, May 11.—[Exclusive Dispatch.] Although the cars were crowded with passengers all day long and San Francisco is rejoicing tonight in the belief that the strike is over, the real crisis is still to come. Sunday will be one of the crucial days in the history of this city, and of labor unionism.

Gov. Gillett is here to watch results and if the slightest disturbance occurs, 2000 troops, now concentrated, will be in the city Monday morning. By the most desperate effort ever put forward by a labor union, the strike leaders managed to hold their ruffians in check today.

The cars passed through long lines of faces sneering with hate, but they passed in peace.

There was just one real outbreak, when workmen at Kearney and Sutter streets threw bricks from a nine-story building at a car filled with women and children.

By the irony of fate Gov. Gillett was standing on the opposite corner at the time.

Late into Friday night, meetings were held at all the labor headquarters by paucis-stricken strike leaders and labor union magnates.

FEAR HIS COMING.

They had heard of the coming of the Governor.

Franklin messengers were sent out yesterday morning. Delegates to the labor headquarters were sent hurrying along the route where they learned from Chiel Dignan the cars would run. These delegates begged the workmen employed on the buildings to "for God's sake be good if you don't want to see this a scab town."

The coming of the militia means just that much.

It was a life or death struggle by the more far-seeing element of the union to hold down the raving wild-eyed brick throwers "just while the Governor is here."

The fact is the unions are in the position of a cat which has jumped a paid turtle and found the killing hard. They have failed to consider. After all these years of power, a strike cannot be settled and broken in this town in five days. It's foolish to think of it as all over. When the strike broke out last Tuesday the unions confidently expected that the public would be urging them and rooting for them. To their utter astonishment, the public made heroes instead of the hated scabs whom they tried to murder and cheered for the police when they clubbed the strikers half to death.

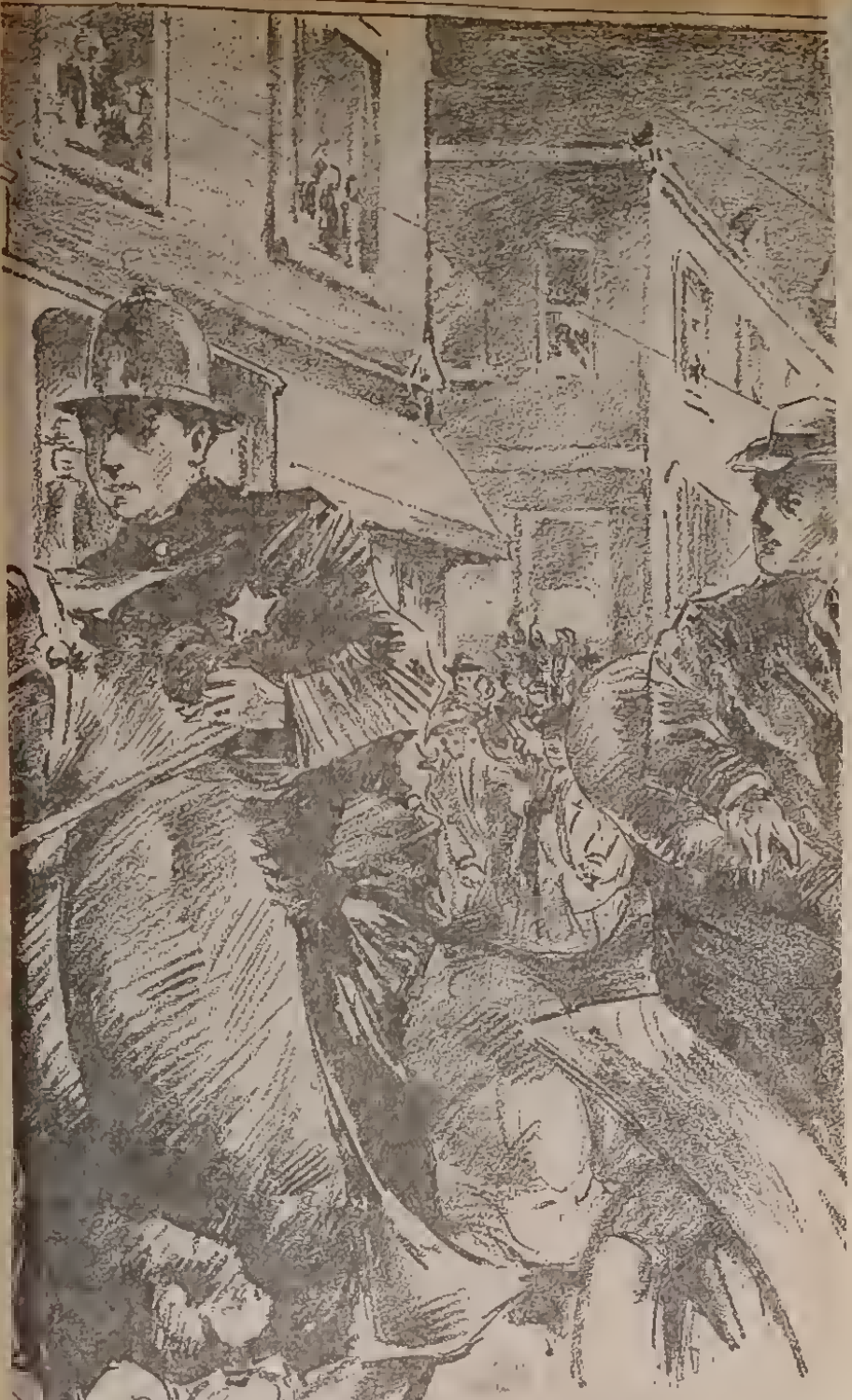
BAY CITY IS CHANGED.

It is a wonderful thing to have seen such a complete change come over a city in five days.

Finding that bricks and thuggery are no longer in public favor, the union leaders have drawn off to consider. Those closest to the situation fully believe that a period of dustily, cruel, secret guerrilla warfare is about to begin.

Gov. Gillett arrived in San Francisco at 10:10 this morning. Mr. Callahan started out fifteen cars at 10:15. Half of them started out over the same route where strikers crouched in doorways and fired shots at the "scabs." Tuesday past the same brick piles from which the rain of missiles crashed through the windows on Tuesday.

But yesterday it was the strike lead-



a union policeman threw his load onto the tracks in front of Mulholland's car and refused to move until the Assistant President had time to get his gun out of his car and throw it into the street. Between Stenger and Villmore, a passenger was pulled off a car and severely beaten by a strike sympathizer. It was rescued by a policeman, who ordered the assailant and immediately arrested and turned him loose.

All along the line of procession throughout the day business men and many women fled with the strikers and other intent in catching the unarmed non-violent operatives. The latter cheered the men loudly and threw flowers at them. The latter cursed them and pelted them with green vengeance in "give them all they were looking for," when they should get down in the burned district south of Market street.

United Railroads, in his auto-police clearing the streets of riotous artist on Friday at San Fran-

also to safeguard the cars on twenty lines, 250 miles in length.

One of the most important happenings of the day was the arrival in the afternoon of Gov. Gillett, who came from Los Angeles to personally investigate the strike situation and determine whether the calling out of the militia is required.

The Governor soon after his arrival held a conference in the Ferry building with Mayor Schmitz, Attorney General, Hon. Robert Winkowski, commanding the recently organized National Guard, and a number of prominent citizens.

Signed statements were received by Gillett from President Callahan of the United Railroads, and the strikers of the Carpenters' Union, setting forth the respective sides of the controversy. Subsequently the Governor and Mr. Callahan had a private conference, which lasted half an hour. Gov. Gillett himself witnessed one of the days' acts of violence, when a workman on a building at Kearney and Sutter streets bombarded the messenger-filled cars with stones and bricks hurled from a height of eight or ten stories.

(SPECIAL WOMEN PARADES)

Franchise, call "Mullally" "Mullally" after Richard Harding Davis's "Soldier of Fortune." It is a good name.

Mullally is one of the handsomest men I ever saw—six feet of clean Yale athlete. He is the perfect type of the Irish Virginian, among whom are the most distinguished families of the South.

He seems not to know the color of fear. He has eyes in which the light blazes up and the light is near. Mullally didn't run the car himself, not knowing the trade of motorman, but he got a car with the front windows knocked out and rode over the entire route, leaning as far out the front of the car as he could possibly get.

He was distinctly the dramatic figure of today.

The car trundled out of the barn at Oak and Broderick street. Most of all along amid ominous silence. Most of the carmen had been cleverly withdrawn by Cornelius to attend a carman's funeral. The injunction of the union leaders lay heavily upon the road. When the car got as far as Leavenworth street, however, a man got on the track with a horse and buggy. A woman rode with him. He poked along just as slowly as he could and the car came after him, hardly moving.

POLICEMAN REFUSES AID

Mullally asked him to move out, but the man replied by a torrent of abuse and bad language. They passed Police Officer James Bruce, whose name ought to go down in disgrace as the only policeman who has refused to assist in keeping order. He was formerly a conductor in the employ of the road. Mullally asked him to arrest the man in the buggy.

"Oh, he ain't disturbing me much," replied Bruce coolly.

Another policeman, however, heard the controversy and rushed past Bruce and arrested the man.

Once a man in a spring wagon got on the track.

"Never mind calling any officers," said Mullally grimly. "I will attend to him." Just as he was sliding off the car, the man in the wagon took a look at the size of him and slid off the track.

As they came down over the hill the car was stopped by an immense iron girder lying across the track and further on more debris. This was cleared off amid howls of "scab" from the crowd which was running alongside as usual.

SHOWER OF BRICKS.

Several women and children were at the car by the time they got to Kenney, where a shower of bricks came showering down from the ninth story. Luckily they missed the car. From that height they would have crashed through the roof.

The deliberate intention of the ten cotta workers and brick masons at that building must have been the murder of those passengers and that crew. When they learned that the Governor of the State was standing at the opposite corner, the union leaders were sick.

The same plucky boy who took out the first car from the Turk and Ed more street barn and faced the old blooded murder without a falter, took the first car from that barn again today. In place of the yelling, howling mob that surrounded it then there were only a few strikers looking on and destruction, but saying nothing.

The cars left the barn almost in total silence. They were the same old wrecked cars that came back battered and torn and blood-stained after the running fight in which they were assaulted and stoned. The bricks still lay on the floor, and the platform were still strewn with broken glass and the steps were still twisted when they went full tilt into the fence of the blockade after the strikers stole the car.

It is a Venice trip without adventure except being lizsed at a refugee camp. Women had to be lifted bodily into the car—for they insisted upon riding.

FIRST GIRL PASSENGER.

The honor of being the first woman passenger probably belongs to Miss Harriet Eastman, a tailor-made little miss with a dress suit case, who was lizsed for the ferry, and she got on far out on Deviladeto, on Mullally's car, but they made her get off before they came to the danger zone.

After that several women rode. The first woman who got on the Turk street line had been shopping in the stores on Van Ness avenue. She came hurrying out shaking her hand at the car as though it were the most ordinary event in the world. The secretary stopped for her. She felt to see if she had all her bundles before she got on. She got in a panic for fear she had forgotten one and finally reassured herself and at last was lifted on the car by one of the southern boys in charge.

SOUTHERNERS LEAD FIGHT.

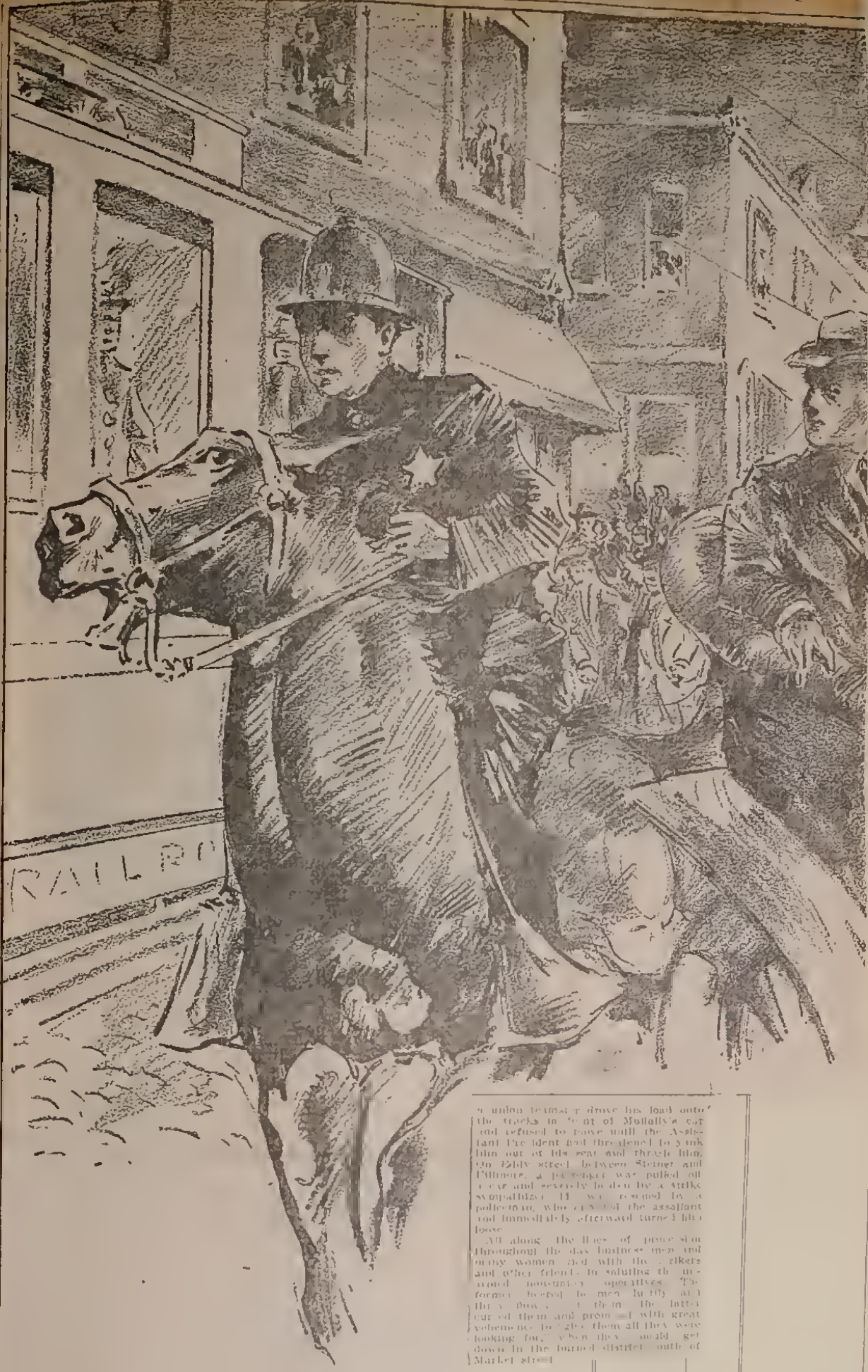
This strike has been fought by Kentucky and Virginia—which have never been notable for being gun-shy. One of the first passengers was Theodore Kyke, the celebrated handwriting expert, who perched himself up on a roll and kept yelling for people to get on.

Another man got on very quietly and jumped off at the Olympic Club. When he stepped on the curling men came hurrying out to congratulate him, shaking hands and clapping him on the back in full sight of the angry crowd of strikers on the opposite curb.

RIDES FOR PRINCIPLE.

One young man, who is one of the college boys who are making Nevada, and who has maces in Ivyville, rode around all day for the principle of the thing.

One rather gawky individual insisted upon riding on the front platform flapping two American flags all the way. He said he had come all the way from San Mateo to ride on these cars with



Thornwell Mullally, manager of the United Railroads, in his automobile, closely watching the police clearing the streets of rioters. Sketch made by a Times artist on Friday at San Francisco.

A union teamster drove his load onto the tracks in front of Mullally's car and refused to move until the Assistant Police had threatened to yank him out of his seat and thrash him. On 12th street, between Steiner and Fillmore, a policeman was pulled off a car and severely beaten by a strike sympathizer. He was rescued by a policeman, who arrested the assailant and immediately afterward turned him loose.

All along the lines of police men and army women and with the strikers and other rebels in saluting the armed non-violence operators. The former hoisted to men in July and the boys in the latter. The latter cut of them and proceed with great violence to give them all they were looking for when they would get down in the burned district south of Market street.

PASSENGERS NOT AFRAID TO RIDE.

GOV. GILLET WITNESSES STRIKERS' VIOLENCE.

Women Who Patronized the Cars Were Assailed With Shocking Profanity by Strikers Sympathizers and Union Workmen Hurl Bricks from Ten-story Building.

able to safeguard his car on twenty times, 25 miles in length.

One of the most important happenings of the day was the arrival in the afternoon of Gov. Gillett, who came from Los Angeles to personally investigate the strike situation and determine whether the calling out of the militia is required.

The governor soon after his arrival held a conference in the Ferry building with Mayor Schmitt, Adj. Gen. Leuck, Gen. Robert Wankowich, commanding the seventh Regiment, National Guard, and a number of prominent citizens.

Shaded statements were received by Gov. Gillett from President Callahan of the United Railroads and President Cornelius of the Carman's Union, setting forth the respective sides of the controversy.

Subsequently, the governor and Mr. Callahan had a private conference which lasted half an hour. Gov. Gillett himself witnessed one of the days' acts of violence when union workmen on a building at Kenney and Sutter streets bombarded the passenger-car with stones and bricks hurled from a height of eight

And he, the collector, however, braved the mob and rushed past them and arrested the man.

Once a man in a spring wagon sat on the track.

"Never mind calling my officer," said muttally grilly "I will attend to him." Just as he was sliding off the car, the man in the wagon took a look at the side of him and slid off the track.

As they came down over the hill the car was stopped by an immense pile of glider lying across the track and littered with more debris. This was cleared off and bawls of "crash" from the crowd which was running alongside it.

SHOWER OF BRICKS

Several women and children were in the car by the time they got to Kennedy, where a shower of bricks came showering down from the ninth story. Luckily they missed the car. It is that height they would have crashed through the roof.

The deliberate intention of the Iowa coal workers and brick masons that building must have been the intention of these passengers and that crew. When they learned that the Governor of the State was building the opposite corner, the union leaders were sick.

The same plucky boy who took the first car from the Turk and more street barn and faced the blindfolded murder without a flinch, took the first car from that barn again today. In place of the yelling, howling mob that surrounded it then, there were only a few strikers looking on and destruction, but saying nothing.

The curs left the barn almost in silence. They were the same over-kept rats that came bark baying and torn and blood-stained after the running debt in which they were muddled and stoned. The bricks lay on the floor, and the planks were still strewn with broken glass and the slugs were still hissing and they went full tilt into the fence the stockade after the slugs.

It was the trip without adventure except being housed in a refugee camp. Women had to be lifted bodily into the car—for they insisted upon riding.

FIRST GIRL, PASSENGER.

The honor of being the first woman passenger probably belongs to Miss Harriet Eastman, a tailor-made Miss Miska with a dress suit case, who was bound for the ferry, and she got on for out on Devilshead, on Mullally's car, but they made her get off before they came to the danger zone.

they came to the street where several women rode. The first woman, who got on the Turkish street line, had been shopping in the stores on Van Ness avenue. She came hurrying out shaking her hand at the car as though it were the most ordinary event in the world. The second lady stopped for her. She felt to see if she had all her bundles before she got on. She got in a panic for fear she had forgotten one and finally reassured herself and at last was lifted on the car by one of the southern boys in charge.

SOUTHERNERS LEAD FIGHT.

This strike has been fought by Kentucky and Virginia—which have never been notable for being gun-shy. One of the first passengers was Theodore Kyka, the celebrated handwriting expert, who perched himself up on rail and kept yelling for people to get on.

Another man got on very quietly and jumped off at the Olympic Club. When he stepped on the curbing he came hurrying out to congratulate him, shaking hands and clapping him on the back in full sight of the angry crowd of strollers on the opposite curb.

RIDES FOR PRINCIPLE.

One young man, who is one of the college boys who are making Nevada and who has mines in Rhyolite, roams around all day for the principle of the thing.

One rather gawky individual insisted upon riding on the front platform displaying two American flags all the way. He said he had come all the way from San Mateo to ride on these cars with those flags. He stuck there all afternoon.

Among the women ~~representatives~~ y
Mrs. Grace Sumners, a prominent
woman of San Francisco, daughter
of a banker.

"If this had been in my father's day," she said, "this agitator Corne would be hanging to a convenient tree before now." One of the women in the car at the time the bricks were thrown said her husband is a union man but if he could manage anything like that she said she would like him.

Some of the men on the car say they saw a union carpenter leave his union card.

Of course, among civilized people attempt to deliberately murder woman and children in a crowded would be esteemed a breach of etiquette, but yajons have done such things as hail without any notice.

Before the afternoon was over, cars were crowded with passengers. They went along in the ordinary with the conductors collecting and people standing on one another. Wherever people rejoiced, there was a "It is all over."

But the unions say among
themselves "We will find some way
'em yet."

Labor Leader Mahon Ill.
SAN FRANCISCO, May 11.—
Members of the Carmen's Union say
do not know when W. D. Mahon,
leader of the Amalgamated Assoc-
iation of Street Railway Employees of
Chicago, who is on his way to this
city, will arrive here. When he will

RAILROAD

A large, dark, expressive illustration of a man in a suit and hat, possibly a police officer or a man of authority, looking down at a smaller figure. The word "RAILROAD" is visible in the background.

Thornwell Mullally, manager of the United Railroads, in his automobile, closely watching the police clearing the streets of rioters. Sketch made by a Times artist on Friday at San Francisco.

Spring in response to a telegram urging immediate presence here he was very ill and I was against the advice of his physicians that he rose from a sick bed and started. Since then no word has been received from him, and though he has a high standing in the community it may have been necessary to stop for medical attention.

PASSENGERS NOT AFRAID TO RIDE.

GOV. GILLETT WITNESSES STRIKERS' VIOLENCE.

Women Who Patronized the Cares
Were Assailed With Shocking Pro-
fanity by Strike Sympathizers and
Union Workmen Hurl Bricks from
Ten-story Building.

BY THE ASSOCIATED PRESS. P. M.
SAN FRANCISCO, May 11.—For the
first time since the commencement of
the general strike ~~in 1904~~, the
United Railroad today operated car
in passenger traffic, and during the
late hours of the forenoon, and until
5 o'clock in the evening about 100 men
and women were carried.

Only two of the twenty lines comprising the system were operated—The Butler and Eddy street lines. Ten cars were run with three-minute headway from the car barn at Turk and Fillmore street, east on Turk to the intersection of Market and Eddy, and on Eddy to Deshauteurs, south on Deshauteurs in Turk and thence to Fillmore.

Piloted cars were run from the barn at Turk and Broadway streets and on to Stanton, on Stanton to Park, on Park to Deshauteurs, on Deshauteurs to Butler, on Butler to Market, and back again over the same route. The four pilot and twenty-five non-piloted motor trucks and conductors manned these twenty-five cars.

[illegible]

able to safeguard 450 cars on forty lines, 250 miles in length.

One of the most important happenings of the day was the arrival in the afternoon of Gov. Gillett, who came from Los Angeles to personally investigate the strike situation and determine whether the calling out of the militia is required.

The Governor soon after his arrival held a conference in the Ferry building with Mayor Schnitz, Adjutant General John Robert Winkowski, commanding the Second Regiment, N. H. Honor Guard, and a number of prominent citizens.

Signed statements were received by the United Farm Workers from President Calhoun of the United Hutteries and 15 other members of the Farmers Union, setting forth the respective sides of the controversy. Subsequently, the union and Mr. Calhoun had a private

Gov. Willgel himself witnessed one of the day's acts of violence, when a union workman on a building at Kearney and Sutter streets hurled the passenger-filled cars with stones and bricks hurled from a height of eight and ten stories.

1891-LET WOMEN PASS SUFFRAGE

An undisturbed domain of today's disturbance was the business industry of a century, which and men to disestablished to men in the crowd. In several business, a greatly increased power and men will still the king productively, because they had all played all corners, to be heard the cat, and one on them.

The scene was one of violence and confusion. The soldiers and the rioters were engaged in a struggle upon the roof of the building, the course of combustion being hindered by the fire and the smoke. The soldiers were firing at the rioters, and the rioters were throwing stones and other missiles at the soldiers. The scene was one of chaos and confusion.

Some of the teachers employed by the strikers to handle the progress of their work were the following: Ed Dean, Gladys Burgess, the rolls, the director of public health and the filling of schools with children.

de Smith, then one of Stelmach's top advisers, told me one of the ruses was to rise in a manner which drew over the whole unit that you had been blown up by dynamite.

Not once, I am sure, though the cause was delayed for a week and a half, for the great crime for which I would offer a full pardon and no display of placid indifference.

As of the case reported, and probably not the last, I am sure, than the large number of the Brecon type.

A distant, the ideal, actually of the United Kingdom, made on the first of a good and good school, beside the underground, the latter of it, as I have

LOMAX HELD ON FORGERY CHARGE

Must Stand Trial for Signing Name of Attorney to Check. *Chronicle*

Sept 11 1907

OAKLAND, September 10.—W. H. Lomax was to-day held to answer before the Superior Court on a charge of forgery. He is accused of forging the name of the former prosecuting attorney, Alvin P. Leach, to a check for \$500 and passing it at the Central Bank.

Lomax was formerly secretary to Roy Manuvals of the San Francisco company and a San Francisco automobile dealer. He first attained publicity through his part in "expediting" delayed freight by means of "fees" paid to yardmen of the Southern Pacific at points along the line where cars were held up. In a confession made after his arrest for forgery, Lomax told Captain of Police Peterson that he was short \$256 in his account in San Francisco and obtained the worthless paper in an effort to avoid exposure.

Ball was fixed at \$2000, which was furnished by E. M. Osborn of San Francisco and Leslie H. Millor of Oakland.

SKATING INSTRUCTORS BEFORE JUDGE CONLAN.

Case of Harry Archer, Charged With Stealing Ring, Is

Sept 15 Heard. 1907.

Skating rink instructors and skate artists had their day yesterday before Judge Conlan in the trial of Harry Archer, charged with grand larceny for taking a diamond ring valued at \$200 from Mrs. Virginia B. Huntington. Mrs. Huntington testified that Archer had asked her to allow him to wear her ring at an exhibition in San Rafael last June. He told her it was a must. She said he did not return it to her as he promised, but pawned it for \$50 and left for parts unknown. Archer was subsequently arrested in Albuquerque, N. M., and returned to this city.

Mrs. Huntington testified that she had taken lessons in the art of skating from Archer, who was a professor, and that she herself had become very skillful. Attorney Gallagher, representing Archer, asked her her age. When she demurred, Judge Conlan said that if the question was allowed every woman in town would come down and mob him.

Miss Beatrice M. Kenny took the stand and said she was a teacher of skating, and that Archer once asked her, shortly before the day of the alleged theft, if she had seen mother lately. When asked by the judge who mother was, Miss Kenny answered Mrs. Huntington. This caused audible laughter from Mrs. Huntington. Miss Kenny also said that Archer had told her if he got possession of the ring again he was going to keep it. The case was continued to next Tuesday. *Chron.*

SOCIETY RELIEVES SUFFERING ANIMALS.

Annual Report Shows a Busy Year for the Local Humane Officials. *Chron*

At a meeting held in the office of John Partridge, in the Menadnock building, yesterday afternoon, the board of trustees of the San Francisco Society for the Prevention of Cruelty to Animals elected Theodore Kytka a trustee to fill a vacancy caused by the resignation of Henry Peters, who is in Europe.

Secretary McCurrie's report for the month included the following cases: Officers examined 3802 horses, ordering 305 from work and relieving 449. There were 120 cases of lame horses and mules reported; 93 galled, 30 sick, 14 worn out and 20 overdriving and overloading. Four horses were injured by falling in the streets, three injured by street cars, three by live wires and two by falling into excavations. Fourteen disabled animals were removed in the ambulance, and 22 horses, 3 cows, 462 dogs and 8 cats were humanely destroyed.

WIFE-BEATER ARRESTED.

During a drunken quarrel at their home, 3124 Twenty-first street, Thursday night, W. F. Thompson gave his wife a severe beating, and was arrested yesterday by Policeman Scott on a charge of assault. His wife, whose plight was discovered when she appeared on the street yesterday, was treated at the General Emergency Hospital.

COLONEL A. ANDREWS ROBBED OF \$1,000 BY A CHECK SWINDLER

Clerk Gives Earrings Worth \$700 and \$300 in Cash for Bad Paper.

Sept 13 1907

CHECK IS DRAWN ON MYTHICAL STATE BANK

Police Are Searching for "J. D. Howard and Wife, Helena, Mont."

Colonel A. Andrews, proprietor of the "Diamond Palace" at 909 Van Ness avenue, was the victim of a bogus check operator last Wednesday afternoon, who purchased diamond earrings worth \$700 and got \$300 in gold as change for the check he proffered.

When Andrews wired to Helena, Mont., to ascertain the man's standing with the bank on which the paper was drawn, he received the startling reply that no such bank existed in Montana, but the information came too late. The stranger decamped with Colonel Andrews' diamonds and money and the flashily dressed woman who registered with him at the Savoy Hotel. Detectives Bunker and Freel have covered the Western States with the thief's description, but no trace of him has yet been found.

The swindler is believed to be the same man who victimized many diamond merchants in Oakland and other Pacific Coast cities during the past six months. Last Wednesday afternoon he wrote the following on the Savoy Hotel register: "J. D. Howard and wife, Helena, Mont." He was dressed like a mining man and wore several diamonds. With him was a nattily attired, pretty woman, whom he introduced as his wife.

Takes Suit at Savoy.

"Howard" paid for a suit of rooms and he and the woman immediately departed, stating that they would return later with their baggage.

The swindler did not go far for his first victim, Andrews' "Diamond Palace" being but a few doors up Van Ness avenue from the hotel. Leaving the woman outside, "Howard" entered the store and asked to see some diamond earrings. It was near 6 o'clock, the hour of closing time, and the clerk, anxious to complete a big day's sales, brought out the best. He first showed the man a pair of earrings worth \$500 and was told that they were not good enough.

"I have just been married and I want them for my wife," explained the customer.

Writes Check for \$1,000.

The clerk next showed a pair worth \$700 and these the man readily took. He stated that he was stopping at the Savoy and had arrived too late to cash a check. He wrote a check for \$1,000 and the clerk, in his eagerness to swell the day's receipts, broke all rules of the store, took the worthless paper, handed the man the \$700 worth of stones and added \$300 in gold for change.

"Howard" never returned to the Savoy and he and his woman accomplices were seen no more. He is described as being about 5 feet, 7 inches, of small stature and wearing a black mustache. He was dressed like a minor and was a good conversationalist.

Colonel Andrews would not give the clerk's name and said that he had perfect confidence in him. "The man has been with me thirty-three years," he said. "I have cashed thousands of dollars' worth of checks for people I know and have never lost a cent. The clerk broke a rule of the store. I don't mind losing \$1,000, but to go to the cash drawer and hand a thief \$300 in gold is too much."

Detectives Bunker and Freel say that the swindler answers the description of a man who has operated extensively in coast cities of late, but admit that they have little hopes for his capture.

BOGUS-TICKET SELLERS SAY THEY WERE BUNKOED.

John August, James Henry and John Coughlin, the three young men who were arrested Monday for selling bogus tickets on the Gans-Britt fight, appeared yesterday before Judge Conlan, charged with obtaining money under false pretenses. They made a statement to the judge that they had procured the tickets at the Willis saloon, where they bought them from two men by the names of Gregory and Smith. They said they thought the tickets for \$25 and sold them for \$3.50. If the tickets were bogus, they declared, they were as much wronged as anybody. Judge Conlan ordered the trio to get warrants for the arrest of Gregory and Smith, and continued their case until Monday. The three were released on bail. 1907-*Chronicle*

W. J. BIGGY NAMED POLICE CHIEF FOR REFORM CAMPAIGN

Ruef's Elisor Selected for Place at Secret Meeting of Board.

PLANS REORGANIZATION OF ENTIRE DEPARTMENT

Will Take Up Detective W. J. Burns' Charges of Corruption.

Sept 13 1907

WILLIAM J. BIGGY was appointed Chief of Police of San Francisco yesterday afternoon at an executive session of the Police Commission. Coincident with Biggy's appointment will come a thorough reorganization and cleaning out of the police department. Detective William J. Burns will render to the new Chief all of his evidence of the crookedness of various departments and officials of the force. The detective department will be the first branch attacked and the work of rehabilitation will go on down the line.

Biggy, who served as Acting Chief for a period prior to the appointment of former Chief of Police Sullivan, made a record as a reformer. He closed the notorious Nymphs and compelled the enforcement of many ordinances relating to gambling and other forms of lawbreaking which had been ignored by the police. Burns' evidence of the petty grafting of police officers and other officials of the department will be taken up by Biggy.

Expect Burns to Dominate.

Around police headquarters yesterday the gossip was that Detective W. J. Burns would dominate police affairs for a period at least. Burns has made statements that the department was rotten, and it is stated that Biggy will heed the suggestions of Burns in making changes.

The announcement of Biggy's appointment was made by Secretary Charles Skelly at the conclusion of the regular meeting of the board.

The rumor that Biggy was to be the appointee was current around the Hall of Justice for several days, and the announcement yesterday that he had been chosen to head the department was not a surprise. Biggy was not present when the announcement was made.

Shortly after 1 o'clock yesterday afternoon Commissioners Swelgart, Kell, Cutler and Leggett met in secret session in the office of the secretary of the Police Commission.

"Apparently we are no closer to a choice than a few days ago," said President Swelgart before entering the room. "I do not think we will choose a man to-day."

Enforce Law, Says Biggy.

Commissioner Cutler, who had from the first declared himself in favor of an army officer for the vacant place, stated yesterday that he was satisfied with the new appointee. Commissioners Leggett, Kell and Swelgart also expressed themselves satisfied with the outcome.

Biggy received the news of his appointment at 2840 Fillmore street, where, since last March, in the capacity of elisor, he has had Alvin Ruef under his charge. As to the policy he expected to pursue as chief of police of San Francisco, he said:

"I intend to perform my duty by enforcing the laws without fear or favor, letting my actions speak for themselves. There will be no hysterical or radical acts on my part."

Biggy will in all probability take his oath of office this morning, and will immediately enter upon his duties. At 10 o'clock Biggy will meet President Swelgart in the office of the secretary of the board. The other commissioners. It is expected, will be there, likewise Acting Chief of Police Anderson. By noon the new chief will likely be installed.

William J. Biggy is a native of San Francisco. He has lived in this city during his whole life. He is forty-eight years of age. He has held public office on several occasions. In 1902, pending the election of Chief Sullivan and after the term of Chief Lee expired, Biggy was acting chief of police for seven weeks.

For four years he was a member of the State Senate. By Governor Budd he was appointed Registrar of Voters and served in that capacity for several years. After the ousting of the old Board of Supervisors during the administration of Mayor Phelan, and pending the decision of the Supreme Court during the year 1900, Biggy acted as a member of the Board of Supervisors. He has also been a member of the Police Commission.

W. J. BIGGY, CHIEF OF POLICE



W. J. BIGGY, CHIEF OF POLICE

During the whole of his public life, until last March, Biggy has carried on a private business of his own. For a number of years he was manager of the Metropolitan laundry.

He retired from business last March, when he was called upon by Department 6 of the Superior Court to act as elisor for Alvin Ruef.

For four years Biggy was a member of a National Guard, serving in 1901 as the first lieutenant.

Biggy stated last night that the chief of the elisorship would be by Judge Thorne.

not say what will be done with him, said Chief Biggy.

Judge Thorne regarding the

SKATING RINK EXPERT

1907 HELD ON FELONY CHARGE.

Henry Archer, alias Curtis, the skating-rink expert, accused by Mrs. Virginia Huntington with the embezzlement of a diamond ring valued at \$200, was held to answer to the Superior Court yesterday by Judge Conlan under \$1000 bond. Archer borrowed the ring from Mrs. Huntington last June, just before an exhibition in San Rafael. The next day Mrs. Huntington says Archer left town, after pawnning the ring for \$50. He was arrested at Albuquerque, N. M., and returned to this city. Archer claims that Mrs. Huntington owed him money amounting to the ring's value for lessons in fancy skating. Sept 21

FRAUD IS CHARGED IN SIMINOFF WILL FIGHT Sept 18 - 1907 Guardian of Son Says His Claim Was Ignored by Widow in Affidavit

Call.
The charge that Mrs. Emma Siminoff obtained a judgment in the superior court by fraud in the latter development in the fight between the widow and son of the late Morris Siminoff over the \$200,000 estate of the clock-maker. The allegation is made in an affidavit filed by John B. Berry, step-father and guardian of the person of the will, Peter Siminoff, son of the deceased. The fraud attributed to Mrs. Siminoff consisted in withholding from the court all knowledge of the fact that Peter Siminoff had brought suit to be declared owner of half the estate of Morris Siminoff.

By withholding this fact, and by coming to the court that no person had any interest in the property or any firm upon it, she obtained judgment ordering title to the property. This judgment was obtained under what is known as the McInerney act, passed by the legislature specially to meet the case of owners of property whose deeds were destroyed in the big fire.

The affidavit of Berry says that when Mrs. Siminoff made the statement under oath that no other person had any interest in or firm upon the property, she knew that Peter Siminoff had filed suit for an undivided one-half share in it. In support of this statement it is set forth that Mrs. Siminoff had instructed her attorney, Charles L. Pollock, to offer a certain cash settlement if Berry would withdraw the action brought against the estate on behalf of Peter Siminoff and discontinue the contest of the will.

Berry asks that the judgment quelling title be set aside on the two grounds of fraud practiced on the court and that notice of the suit was not served upon him.

Another interesting statement in the affidavit filed by Berry is that when Morris Siminoff died his property in his wife, Emma, in his lifetime, it was with the understanding that after his death it should be divided equally between her and his son, Peter. The property involved consisted of land in McAllister street near Van Ness, in Stockton street near Sullivan, and in Leavenworth street near Washington upon which an apartment house now stands.

Besides the affidavit of Berry, a joint affidavit by Hiram W. Johnson and James M. Hanley, attorneys for Peter Siminoff, also was filed. It sets forth that Charles L. Pollock, attorney for Mrs. Siminoff, had conferred with Johnson and Hanley about the difference between the parties relating to the property, and that, therefore, Mrs. Siminoff must have known of Peter Siminoff's claim when she stated that no one else had any interest in the property.

YOELL WILL CONTEST LACKS ONLY ONE JUROR Sept 18 - 1907 New Panel Is Exhausted by Challenges and Judge's Removals

Call.
The hearing of the contest of the will of the late James Alexander Yoell was resumed yesterday before Judge Graham, and 31 jurors had been conditionally accepted when the exhausting of the panel yesterday afternoon led to a postponement of the case until Thursday at 2 o'clock. Three of the jurors previously chosen were dismissed by the court yesterday, and of the nine examined in their stead six were challenged and dismissed for cause, leaving one vacant seat in the jury box when the adjournment was taken.

Of the children of Yoell's second wife who are contesting the will under which Mrs. Eva A. Levy, the daughter of the first wife, was made the chief beneficiary, Mrs. Genevieve Parkhurst, Mrs. Emily Dunn, Miss Gertrude Yoell and Miss Beatrice Yoell were in court yesterday, represented by Attorneys L. M. Foster and E. E. Colman. Mrs. Levy and her daughter, Lucy Levy, were aided with their attorneys, Hiram Johnson, Carl Wirtzfeldt and Robert Duke, and Attorney Edward B. Young was present as representative of Mrs. Hattie Theobald and Miss Alice Virginia Yoell, the other children of the first wife.

Theodore N. Clough, one of the jurors accepted last week, presented a letter tending to show that he would lose his position if forced to serve as a member of the jury and asked to be excused. Judge Graham declared that he did not believe Clough's employer had any intention of discharging him for such a reason, but that the juror had received the letter in an attempt to evade serving as a juror. The court, nevertheless, excused Clough after hearing him for protracting the trial.

John R. Armatrong was excused when it was found that he had been subpoenaed for jury service through error, having been confused with another man of the same name, and Juror M. J. Binnendael was excused on his own statement that he was a personal friend of Fred Levy, a relative of Mrs. Levy, and that he feared this friendship might bias his decision.

The jurors passed by both sides were William H. Dicke, L. T. Queen and Henry Johnson. A new panel of 35 names was drawn, from which an effort will be made to complete the jury Thursday afternoon.

CURLY HAIRD YOUTH ONCE BABY MARTIN; IS HE PRINCE?

"I Am His Mother," Said Isabel Martin in Famous Will Contest Here.

NOW SHE ENTERS DENIAL

Mystery Surrounds Real Identity of Boy-Puppet in War for Wealth.

"I said at the trial that the boy was not Isabel Martin's child," said Isabel Martin yesterday in disavowing the recent claim of Mrs. Martin that the child she has reared is the son of the ex-Princess de Chimay, and as such is entitled to a share in the Ward millions, the Princess having been the beautiful Clara Ward of Detroit.

"That boy may have been the child of the Princess de Chimay or of anybody else, but he was not the child of Henry or John Martin," went on Isabel, who, in 1893, taught out the famous Martin will case, where the child, then known as "Baby Martin," was put forward as a claimant in a third of Henry Martin's \$200,000 estate.

It was a famous trial, in which Isabel was pitted against Grove L. Johnson, who then was making his unsuccessful attempt to win a standing in the practice at the San Francisco bar. Johnson went to Mr. Kerra and tentatively prayed the jury to give Baby Martin some of the money left by his supposed uncle. But the jury by a vote of ten to two refused his prayer.

Then Mrs. Isabel Martin reared the boy in Oakland. She let his hair grow long and dressed him in unusual or fantastic garb. He looked a prince out of a fairy tale or a comic opera. Mrs. Martin was ever eccentrically to the fore. She painted her own house blue and red and a row with the insurance companies. Then she had a way of developing her ideas in murder mysteries—the Durand and Eddins cases and the Nora Fuller killing. Always she was picturesque, always eccentric.

Second Suit for Wealth.

Now the same boy that she proved was her son by calling her husband, John Martin, or his brother, Henry Martin, who sets up as the abandoned child of the ex-Princess de Chimay.

The boy is now 16 years old, and Mrs. Isabel J. Martin is alleging in both Chicago and New York with her tale of his parentage and his refusal to be abandoned by the Princess de Chimay when, in a fit of pique, she took a girl baby from a foundling asylum to present to the Princess as his heiress instead of his heir.

As sister, this same boy, thirteen years ago, then a babe of 3 years, with flaxen curls, dimpled cheeks and soft brown eyes, was the central figure in one of the most exciting probate cases ever tried in a California court. He was brought forward by Mrs. Martin as her son, and as a principal legatee under an alleged will of Henry Martin, the brother of Mrs. John Martin's husband. By the terms of the alleged will the boy was left one-third of Henry Martin's \$200,000 estate.

The jury that listened to the testimony in their celebrated case, declared by a vote of ten to two that the will produced by Mrs. John Martin was a forgery. The verdict was a cloud over the parentage of the boy, and that cloud has never been lifted.

So far as the evidence in the Martin will case is concerned, this boy—John Caldwell Martin—has been a mystery. He may really be the child of the Princess de Chimay as the child of Mrs. John Martin or of any other woman, and his father may be John Martin, the brother of Mrs. John Martin's husband, or any other man.

The striking point of the two cases is the same. A boy was born in New York on May 5, 1894. And throughout this latter case the one vital, urgent question will be, as it was in the case of thirteen years ago: Who are the parents of that boy?

In 1894 Mrs. John Martin claimed that it was her boy. Delmas and the other lawyers who were defending the will under which Henry Martin bequeathed all of his wealth to her widow, May E. Martin, claimed that the boy was a foundling—that his parentage could not be traced to Mrs. John Martin or to any one else directly connected in the Martin will case.

It was this claim that defeated Mrs. John Martin in her attempt to get control of some of Henry Martin's wealth, and which helped her jury to believe that she was either the author or the sponsor of a forged will. Now, with a fine disregard of inconsistency, Mrs. Martin has adopted the very claim of her old opponents.

The uncertain status of John Martin Jr. is clearly shown by the evidence adduced at the trial of the Martin will case. That in fact he was nearly three months declining on July 9, 1894, and dying on September 15th. The case was highly sensational from first to last. Mrs. John Martin and her character formed the chief subject of attack and defense, and before the trial ended she had been repeatedly charged with holding a blackmailing, a large, a peevish, an adventuress and a generally bad woman.

She fought back with all the fury of a woman who feels that she is slow but surely being pushed over the brink of financial and moral ruin. In open court she charged Attorney Delmas with having said her out after learning all the secrets of her case. And in a fit of temper she hurled a lurid blast at the head of Attorney Heynemann, a witness against her.

Mrs. Martin came into court as the proprietor of a will dated February 21, 1892. Henry Martin, who was a wealthy mining man, died at the Palace Hotel in New York on February 21, 1892.

As to the parentage of the child, the first possibility suggested by Mrs. Martin was that the boy was her son by her husband, John Martin, who had died at

Claim to Riches Adds To Parentage Tangle

Sept 19 - 1907
Examiner



ARSENIC AND MYSTERY.
The Two Physicians Who Attended John Martin State Possibly That He Was Poisoned.

Reproduction of pictures of Mrs. Isabel Martin and "Baby Martin" and facsimile of a portion of the heading next the story of the celebrated Martin will contest published in "The Examiner" of June 10, 1893.

Weaverville, Cal., in August, 1892. And she started out to prove that Henry Martin had remembered the boy in his will because he was grateful for the many acts of kindness and assistance that his brother, John Martin, the boy's father, had rendered him.

But, in the outset, the opportunity began to diminish this opportunity. They showed that Henry Martin had no use for Isabel Martin or for her son, and that he doubted that his brother was the father of the child.

And then they went on to show that after the death of John Martin the first denial of Weaverville claimed that he had been poisoned. His body had been examined and tested for poisons, but no poison was found.

In the face of this sort of testimony the attorneys for Mrs. John Martin swung around and adopted another theory. They offered evidence to show that there had been a secret love between Henry Martin and his brother's wife; that the railroad boy was the son of Henry Martin and Mrs. John Martin, and they set this out as a reason why Henry Martin would be

likely to bequeath a portion of his estate to the boy.

Isabel Martin has had a varied and interesting career. She was born in Niagara, N. Y., forty-nine years ago. Her maiden name was Isabelle Josephine Bellwell. She graduated from Vassar College at the age of sixteen years. At the age of eighteen years she married Jacob Hoffman, a well-to-do real-estate merchant of Elmira, N. Y. She bore him two children, Henry C. Hoffman and Sarah A. Hoffman. There were Mrs. Isabel, who died at little Sarah's birth, Henry Martin, now engaged in mining at Weaverville, Trinity county, Cal.

In the spring of 1891, Mrs. John Martin moved to New York City. She returned to California in the summer of that year, bringing with her the baby "John Martin Jr."

Then came the death of her husband, a year later. Then, in February, 1892, occurred the death of her husband's rich brother, Henry Martin.

Sept 21 - 1907 S. A. THEATER ELECTED

The society for the prevention of cruelty to animals at a meeting held yesterday in the office of President John Partridge in the Montebello building elected Theodore Kyka a trustee to fill the vacancy caused by the absence of Henry Peters, who is in Europe. Secretary M. McMurphy reported that 283 cases had been investigated during the month. The officers of the society had examined 2,002 horses, and 345 from work and removed 49. There were 120 cases of bone spavins and horses reported, 25 castrated, 10 set, 14 worn out, 20 overworked and 17 injured by accident. Two animals had been made for inhuman treatment of animals.

Sept 22 - 1907 John Tonningers, president of the Union State Bank of this city, gave a farewell luncheon to a number of his friends yesterday at the Palmwood Hotel.

Among the guests were Charles L. Patton, George Leighton, F. W. H. Mosher, J. George Leibold, W. F. Hays, W. E. Squire, Ralph Halthorn, Theodore Kyka, Judge Frank H. Kerrigan, Mr. F. F. Knapp, Charles Moraghan, Charles Bone, E. C. Stock, E. Bost, O. Bush, Louis Stricker, M. J. Savage, Frank R. Kingston, Otto A. Schenck.

PROMINENT LOCAL MASON TO TRAVEL IN OLD WORLD

John Tonningers Entertains Friends Before Leaving for the East

Sept 23 and Europe 1907

John Tonningers, president of the Union bank of this city and a prominent member of the Masonic fraternity, will leave in a few days with his wife on a two years' tour of the east and Europe. He gave a goodly luncheon to a number of his friends at the Palmwood hotel yesterday noon. Those who were his guests were Charles L. Patton, George Leighton, F. W. H. Mosher, J. George Leibold, Ralph L. Halthorn, Judge Frank Kerrigan, W. F. Hays and W. E. Squire of the bank, Mr. F. F. Knapp, Charles Moraghan, Charles Bone, E. C. Stock, E. Bost, O. Bush, Louis Stricker, M. J. Savage, Frank R. Kingston, Theodore Kyka and Charles E. Lutz.

After the repast Charles L. Patton called upon those present to make addresses. F. W. H. Mosher spoke of Tonningers' work on behalf of the Masonic cemetery association, George Leibold told of the heretofore relations to the Masonic hall association, what he had done for it as one of the directors. Ralph L. Halthorn spoke of the city council work of Tonningers and of the upbuilding of the California commandery No. 1. W. F. Hays referred to the hotel's able work as a bank president, and Judge Kerrigan spoke of "John Tonningers, one of the progressive citizens of the city." The others also vied high praise of the hotel as an upbuilder of the city and the Masonic fraternity.

DR. W. DE ST. PAUL SEITZ DIES OF HEART FAILURE

Local Physician Passes

Sept 23 Away 1907

Major-General Colonel W. de St. Paul Seitz, a veteran of the Franco-Prussian War, well known in local medical circles and prominently connected with the affairs of the City and County Hospital in the capacity of warden some months ago, dropped dead at his home yesterday from heart disease. Colonel Dr. Seitz was 51 years of age and recently has been living at 512 Fifth avenue, San Rafael. The funeral will take place tomorrow at 9:30 A. M. Colonel Seitz was a native of Hamburg and obtained his post-graduate experience in the school of the world. He came to America after the close of the Franco-Prussian War, and to California shortly afterward. He is best known in San Francisco through his connection with the City and County Hospital at the time Dr. Ward was president of the Board of Health.

Gunmen Prepare for Opening of Duck Season on Tuesday **Yachting**

*Mallard and Sprig Are Plentiful
in Marshes Near San Francisco*

The heart of the duck hunter is glad. The season opens on Tuesday next, October 1, and all indications point to a day of royal sport. To-day and tomorrow the devotees of the gun will rush off to the shooting grounds around the bay and elsewhere, ready to begin blazing away as soon as dawn begins to streak the eastern sky on Tuesday morning. Go to the ferry building at any hour tomorrow and you will know against a hurrying man in a khaki suit, a crumpled, disreputable looking, comfortable old hat or cap and a gun over his shoulder. He has thrown all thought of graft, prosecutions, of nominating conventions, of business, of slow cars, of dusty streets behind him. His one concern is to reach some duck pond where he will spend a day in the joyful exercise of his skill with the trigger. Your average duck hunter is a very zealot of the gun.

Every one looks for good shooting on Tuesday—better than on the opening day of last season. Only one eventually can prevent this, and that is a heavy rainstorm. Barring such an untoward vision, on all the regular shooting grounds big bags are expected. That magic achievement, "the limit"—35 birds this year instead of 30, as heretofore—should be reached by any hunter with a modicum of skill. All reports are to the effect that the ponds are swarming with birds, waiting to be killed. From the Simsin marsh, from the Sacramento and San Joaquin rivers, from Solano, Sonoma and Monterey counties, from down the western side of the bay, from almost every spot, indeed, upon which the duck is usually found, comes the fine story—great flocks of birds and the conditions for sport unsurpassed.

Mallard and sprig duck abound. These are the great local breeders. The mallard is a purely domestic duck and the sprig, which comes originally from further north, also breeds on ponds about the bay. These are the two varieties upon which much shot and powder will be expended on Tuesday.

How many will take part in the opening day's sport is difficult to say, but an estimate by an old follower of the game is that between 2,000 and 3,000 men with guns will leave San Francisco, Oakland, Berkeley and Alameda today and tomorrow for the shooting grounds. Preparations for the opening have been proceeding for four or five weeks. The keepers employed by the clubs have been fixing the decoys, furnishing up equipment and setting the bait for the ducks. A good many tons of grain are dropped to the bottom of the ponds to provide food for the birds and keep them from flying away. A bag or two put in every day keeps big flocks around

Some important changes in the game laws as they control duck shooting are in force this season for the first time. Fifteen days have been added to the season by opening it on October 1 instead of on October 15. The closing date is the same as it was last year, namely, February 17, so that hunters have a season of five and a half months. As against this is the fact that the day's limit has been reduced from 50 birds to 35. The general opinion is that the latter figure is high enough, although here and there one finds a hunter who rents the clipping of 15 birds from his day's sport. The 15 additional days at the commencement of the season are a generous offset, inasmuch as it diminishes very materially the chances of a rain-storm occurring before shooting is allowed, and thus spoiling the opening day. On the whole, the new law is more popular than the old one.

Another innovation is the levying of a fee for a gun license. The effect of this is to furnish a line on the number of shooters in the state. Up to date more than 80,000 licenses have been taken out, and it is expected that before the season ends the number will have reached the large total of 90,000 or thereabouts. These figures certainly indicate that the hunting public is a large section of the community. The fee charged for a license is \$1 in the case of a citizen of California, \$1.6 if the applicant be a resident of another state, and \$2 in the case of a foreigner. The fee for a license is \$1 in the case of a citizen of California, \$1.6 if the applicant be a resident of another state, and \$2 in the case of a foreigner. The fee for a license is \$1 in the case of a citizen of California, \$1.6 if the applicant be a resident of another state, and \$2 in the case of a foreigner.

During the fall and winter months the various shooting grounds available in Southern California furnish merita birds in abundance. The first marsh is the chief field of operation for the first two or three months of the season. After about a middle of December shooting is better in not of the best. But the situation is compensatory for by the first of January the sport during October, November and part of December. Information for the marsh is that the locally bred birds are in great abundance. This applies to Los Angeles as well as to the San Joaquin, Imperial, and everywhere in the valley the outlook is bright for a sport in shooting. After the first of January the birds scatter and are more difficult to obtain. The reason is that it is much easier to find them in the marsh. Nevertheless they are in abundance that for nearly three months the sport is of the best. After the first of March the weather is cold and stormy; they migrate farther south.

All over the tall marshes down the
slopeside of San Francisco Bay ducks
are exceptionally plentiful. At
Eden, Alameda, the Bird ranch, the
Eden, Alameda and other localities they
are in plenty.

From along the Rio Juarez and Mesquite flats, and all through the Palo Verde, came equally optimistic reports from the Maricopa, up to the leading end of Gila, and so locally it need amount, unless the Indians are unusually good. Wild geese here also made their appearance in a noteworthy manner. On the Rio Juarez river, down through Tiaari, Yuma, Los Banos, San Pablo, Tien Pien and Phoenix, there are, to quote a scout, "Millions and millions of ducks." Thousands of acres of low land are under water along the river which will have to mature by April, but every one should get a big bag on the opening day. The tale told between the mouths of tin Bezumani and Rio Juarez, forming a large delta.

quicker the birds bring in those who make their appearance here. Infants, thus from the border district would appear to indicate an unusually heavy flight late on May 1st, and on the 17th V. Elliott, of San Francisco, gave information from a three weeks' shooting expedition on Klamath lake and report birds there in myriads.

"I had the shooting of my life," remarked Judd a day or two ago. "On the marshes that border on the northern and western edge of Klamath lake, and especially at Hedges in Klamath county, Oregon, there are enough birds for a regiment of sharpshooters to fire at. I never saw so many ducks in a regular hunters' paradise. I had no trouble in getting the limit, 60 per day. There is also any quantity of snipe, for which there is an almost

New clubhouse built by Achille Roos of San Francisco on his private duck hunting preserves near Tule, on the Suisun marsh. To the right is a portrait of Theodore Kytkä, and at the bottom M. O. Feudner, well known gunsman.



The statue retained a good sized track for his own use.

The grounds over which the club formerly shot has this year been leased to Judge W. F. Henshaw and one or two of his friends. The judge is a good shot. He has acquired a preference on which he will find plenty of opportunity for the exercise of his skill.

Administering the Sultan's matches and within a short distance of the land of the Cornelia club is the ground of the Field and Tule club. Some big hags should be recruited from this patch.

The Alameda gun club, which shoots at Mugile in Sonoma county, has grounds which are famous for the canvasback ducks which come late in the season, but, nevertheless, a successful opening on Tuesday is a certainty.

The Family club, the membership of which comprises some very wealthy men, reports that the ducks are thick on its preserve. Something like 100 tons of grain has been lost in the ponds as well.

Near the grounds of the Family club are those of the Arab club. Here also a fine day's shoot is on the cards.

The whole of the upper end of Juncr Island has been bought by the Volante club, a new organisation composed of old and newair sportsmen. This land formerly was leased by the Belvedere club, but the Volante club now owns it outright. There are 27 ponds ready for the sport of the coon and the members, of whom there are about 35, have been informed that a fine lullied day's shoot is in store for them. A clubhouse and two arks are owned by the club.

At the south end of Joyce Island in the Joyce Island club the members have been gladdened by favorable advance information.

The famous Mud Ranch club, shooting between Mount Eden and Alvarado, will live up to its reputation if reliability is to be placed on all that is said by those who have visited the grounds. The members of this club are indeed famous individuals. Ducks are to be found on the Mud ranch.

are to be found on the Mud flats when they are seen nearly anywhere else. It is without exception the finest salt marsh about the bay flats sometimes have what ponds to go there.

Captain John Seymour has leased the place temporarily used by Joe Hareey and will spend there throughout the season with a few friends. It is near the foot of the Dyer's Island Club, and provides good mail.

E. H. Hartman, the Southern Pacific magnate, bought a fine property in the Buena Vista section from Hermann Goetz, but it is not believed the noted financier will do any shooting there on his return. W. F. Trench, chief of the law department of the Southern Pacific, will see it with a party of friends.

Adjoining Hartman's place is the Green lodge, owned by W. W. Richards, who has promised his friends some ex-

A new club, called the Chickadees, has a thirteen two table from Vito Motlins, upon which it is confidently expected "lull" bags will be the rule. Its members are Messrs. William C. Mordock, James Vele Jr. and James Ralph Jr., president of the Master's Club.

Frank Muskey will rent on the grounds which formerly belonged to the Cordelia Club, he has built a handsome new clubhouse.

The Portland club on its part has acquired grand new links grounds, and the members say they will have as good a shooting as the old spot afforded, if not better. There are six members of the old club, including Meete, Ferguson, Lyndale, Kellogg and Burke.

The Seaside club, which has a fine place and the use of the Seaside marsh, near Thurston, is extending unusually good spots, as there are

There are no more favorable spots to find any part of the country than Elkhorn slough in Monterey county, where the biopre club stands. Those who have wanted advance information as to where the birds are thickest say that Elkhorn slough because better prospects for an exceptional opening than any other section.

The taste and elegance with which it

It is in the mission style of architecture and in outward appearance loosely resembles a chapel. The apartments include a large sitting room, 16x24 feet, smoking room, dining room and four bedrooms. A noticeable feature of the smoking room is the net glass in the two large windows. In the center of each window is a duck-shaped window in one window and a spring in the other. Surrounding the ducks is beautifully stained glass representing

Heavy exposed beams and rafters give the true timber effect to the dining room, in which the chapel idea is carried out in detail. The bedrooms are fitted with every convenience—hot and cold water, bath, lavatories, etc. A well equipped kitchen and pantry are, of course, also included. Surrounding the house is a porch 12½ feet

"An odd bachelor's fancy," flour calls his clubhouse, but it is built on a scale and in a manner that fit for permanent interpretation. Indeed, flour is proud to find himself in doing it and in the much smiling manner. Throughout the year, we will find him in the city, he will roll up there for a few days with one or two chosen friends. A well supplied the flour water and an acetylene gas plant give illumination. Adjoining is the house of the keeper, who will reside on the property all the year round. A four acre park, enclosing the house keeps off the water of the marsh when the tide flows.

ly next year many improvements will have been added. A garden and an orchard are being laid out. Ponds for terrapin will be another feature. On Tuesday Mous will have three in-

filled friends with him at the handsome clubhouse and apart of the fines will be provided for them. The purchase price of 225 acres, bought by Mr. Hoos from Frank Maskey and his associates, is reported to be swarming with birds. Probably the biggest pond on the marshes is on this preserve. It is a mile and an eighth long, with many natural tub-lands in it.

"You will get the limit in less than an hour," reports House' keeper. The pond has been plentifully baited and a good day's sport is virtually a certainty for the owner and his fortunate guests.

192 EX-BOSS FALLS DOWN ON HIS SECRET TESTIMONY

Oct 3 1907
Defense, Surprised and Elated,
Think Prisoner Is Assured
of an Acquittal.

LANGDON NON-COMMITTAL

But Special Prosecutor Says
He "Has Card Up His Sleeve"
and Case Is Complete.

Abbe Ruef has fallen down on the prosecution and Heney has closed his case against Tracy L. Ford without daring to call him to the stand.

The little boss has decided to face an eternity in prison rather than tell the tale of his dealings with Ford in the way the prosecution wants him to tell it.

"That closes our case," said Heney long before 3 o'clock yesterday afternoon.

Ruef had not been called. He seemed more surprised than anybody, unless it was Earl Rogers, leading lawyer for the prosecution, who pulled himself together long enough to admit surprise and secure a continuance until this morning.

Then he went to Ruef's seat and shook hands cordially with him.

The lawyers and friends of Ford then shook his hand and congratulated him as if there had been an acquittal. Next they went into consultation to determine whether this morning they would ask for an instruction of acquittal from the court, submit their case on the prosecution's evidence, or go on with their own testimony.

When Ford was called if he wished to make a statement, he said he thought it best to preserve a modest demeanor.

Collapse of Case, Says Byington.

"It means the complete collapse of the case for the prosecution," said Lewis F. Byington, Ford's brother-in-law and one of his leading counsel.

When Ruef and Henry Ach, his adviser, were asked if they wished to make any statement why the former had not been called to the stand, they merely shook their heads. On the preceding day Ach had said that Ruef would take the stand and tell the whole truth about Ford's bringing in the money. His argument then was that Ford had committed no crime in purchasing Ruef's influence even if Ruef afterward used some of the money for bribery.

When District Attorney Langdon and Francis J. Heney were asked if they wished to make any statement as to why Ruef had not been called, the District Attorney merely smiled, while Heney said:

"When you are playing stud poker and have just one card in the hole, you are a fool if you show that card before the other fellow."

"But suppose the other side elects to go to the jury on your evidence?" was the natural question.

"Then we are high cards in sight," was the characteristic response. "Well, till you hear my argument showing how one piece of our evidence fits into the other. The case is complete as it stands. We don't want Ruef to come on and tell some tale to suit them, and then have them go ahead with a lot of testimony to fit that theory."

Ruef's Testimony Important?

Evidently all the questioning of Ruef by the Grand Jury, by Detective Burns and by Elliot Wigley and the guards has not brought him the desire to tell the tale of the hoodlums. He believes the tale should be told. There is a theory that the defense "readily" Ruef, perhaps with some of the money money that had been floating around the city, making this the tale to suit a purchasable journalist and the Assistant Attorney General of the law.

In any event, the case for the prosecution has been growing and thickening called to say that Ford brought him the money that was passed to the Supervisors. Now it remains to be seen if the case, without Ruef's strong enough for a conviction.

That is a very important question, for if the case without Ruef is not strong enough to convict Ford, it will not be strong enough to convict Patrick Gallagher, Edward McNeill, and William M. Abbott. In short, if the case against Ford collapses it will carry down with it all the prosecution growing out of the United Railroads overhead trolley franchise bribery.

It has been proven simply enough that \$200,000 was transmitted in cash from the United Railroads to the city, and that Calhoun transmitted this to at least three different firms. Phil asked for currency each time and got it. The first \$50,000 being paid to him in bills of small denominations from the relief fund. It has also been proved that Ford carried the money away from the relief fund, being assisted by William M. Abbott.

What Became of Money.

Then what became of the currency? It has been proved that Ford did not turn it over to the trolley at the United Railroads. The cashiers there swore that yesterday. It has been proven that no such amount of currency was turned by Ford in any form connected with the United Railroads during the time the franchise was being to have been carried on.

Eighty-five thousand dollars of currency paid out during this time have been accounted for. That money was paid over to the Supervisors, Henry Ach, Phil, and William M. Abbott. The first currency given by Ford from the relief fund in the small bills the first money paid the Supervisors by Ford, through Calhoun, was in small bills. "What is the tale of the currency is identified" in the relief

COMPLETE CASE, DECLARES HENEY

"When you are playing stud poker and have just one card in the hole, you are a fool to show that card before the other fellow bats. The case is complete as it stands. We didn't want Ruef to come on and tell some tale to suit the defense and then let them go ahead with a lot of testimony to suit that theory."—Special Prosecutor Francis J. Heney.

viore in general and Supervisor Loner-gan in particular. Ruef was the only man who could have supplied that testimony, and the prosecution did not dare to call him.

So it is a case of suspicion and circumstantial evidence instead of one of direct testimony. If Ruef had said Ford brought him that money, no matter what explanation he made of the transaction, it would have been a hardy juror who would have voted "not guilty." As it is, an honest man might very easily say he did not feel satisfied of the legal proof of Ford's guilt, no matter what he might consider the merits of the case.

Send Ruef to Prison.

And now what about Ruef? If he is to be of no use to the prosecution why should Judge Dunne sentence him to San Quentin or Folsom at once? He has pleaded guilty to the crime of extortion and said he would tell all. Day after day in the other cases the bold-faced bribees have been proved against him. Supervisor after Supervisor has come on to say that Ruef, through Gallagher, bought his vote. So it would seem easy enough to prove the cases against him, and there are enough of those cases to keep him in jail for the rest of his life.

The prosecution has shown its teeth in the matter of Supervisors Mike Coffey and Andy Wilson, who manifestly evaded and did not tell all they knew when on the witness stand. Their immunity has been revoked. Now, how about Ruef?

Heney had told the Court he was going to put on himself. Apparently he had intended to do so up to the last minute. So there was an all-around disappointment in the crowd when the sudden announcement came that the expected sensation of Ruef's appearance on the stand was not to be vouchsafed. The rest of the day's showing—the closing of the case—was dry.

Miss Ruef on Stand.

Even Miss Ruef, the sister of the ex-boss, merely told that she did not typewrite the trolley franchise ordinance, and that her brother did not dictate it to her. The rest was merely a matter of accounts, deposits and negative testimony—evidence in show that the \$200,000 had not put in an unusual appearance.

The morning session opened with George B. Willcutt, secretary of the United Railroads, and the two books he had brought with him. There were some questions as to whether Joseph Tobin resigned as a director of the United Railroads and as to his present whereabouts. Tobin is in Europe. Secretary Willcutt did not know where he was, but Earl Rogers admitted that he had been traveling for his health.

Willcutt never heard of the money sent to Mollally and Calhoun at the Alt. There was an objection to every question that dipped into the books and accounts of the corporation. Rogers said he produced two books under protest, and Willcutt took up the company's ledger. It developed that the man who had made the entries for April and May, 1904 had quit the company's employ, and Willcutt did not know what had become of him.

No Light From Books.

Heney got nothing out of the books, and the jury was not enlightened from them. Willcutt was succeeded by a man with the significant name of Edgar—A. M. Edgar, cashier of the United Railroads. After objection the witness stated that Mollally turned over to him \$200,000 in gold and silver. He recalled that Treasurer Niess turned over to him a considerable sum after the fire, but he could not recall that it was \$25,000.

"Will you make any entry that would reflect your memory?" asked Heney. "Yes, sir."

"To what book?"

"The cash book."

"What is the cash book?"

"I think it is in New York."

Edgar could not recall that on one day after the fire Treasurer Niess turned over to him five sacks of gold containing \$5,000 in gold each, or that on the next day Niess turned over to him five sacks containing \$5,000 each. Dollar a vote was weak and his memory weaker, and yet the money he was asked about was immense money, sent in Mollally and properly expended. What would have become of the money if he and Niess had questioned about money it would be hard to say.

Testimony Stupid.

There may be depths of ignorance and forgetfulness that he hasn't reached, but the imagination balks before them. The cashier's testimony was so preposterously stupid that it annoyed even the attorneys for the defense, and Earl Rogers offered to admit the truth of Heney's contention regarding the innocent money.

Edgar said he did not receive any of that \$200,000 of currency from Tracy L. Ford. He never had received any such sum in currency from Ford. This was as near as he came to testifying to anything.

Charles F. King, office boy for Ford for the past three years, said he had seen Ruef go into Ford's office before the fire, but he was not sure he ever had seen Ruef there after the fire.

"Call Miss Ruef," said Heney, and the sister of the little boss who once was present, took the stand. She said she had been secretary and stenographer to her brother—his only secretary and stenographer—and he never had dictated to her nor did she typewrite the ordinance granting the overhead trolley franchise. That was all her testimony and she was not cross-examined.

Jurors Laugh and Play.

Victor H. Russell of the Wells-Fargo-Savannah Bank brought in Joseph Luga, showing the deposit of \$75,000 in gold by the United Railroads, May 17th. There was other huge and much testimony in the attempt to trace the immense \$115,000 and Mollally and Phil to show that the guilty \$200,000 and Calhoun did not go into the company's bank deposit accounts. The crowd got to laughing and playing among themselves during this procedure.

Prosecution Fails to Put Ruef on Witness Stand

Here is Abraham Ruef, the "star witness" for the prosecution in the trial of Tracy L. Ford, who was not allowed to testify yesterday. His face is fuller than when first placed in the custody of Elliot Rigby. His hair is much thinner. He has gained weight.



Most said he had not been able to find the deposit slips, but his list showed there were no deposits by the United Railroads between April and August.

William A. Connor, bookkeeper of the Bank of California, brought a long trainful of accounts and those who laughed when Heney and Rogers stipulated that the list need not be read. The deposit logs showed but one deposit of currency and that for but a small amount. Connor said that some of the tags manifestly showed clerical errors.

Frank J. Arnold of the Mercantile Trust Company brought in a very small slip to show the United Railroads' account. It was a little account of less than \$3,000.

Then an adjournment was had for luncheon while another banker was hunting ready to bring in his accounts. Long before the time for reassembling in the afternoon the crowd gathered. Women were numerous. Some of them strayed into the press seats. Others invaded the seats reserved for the attorneys for the defense. For everything that had gone before was merely preliminary to what was to come.

"Prosecution Closed."

"Can we stipulate the day of Patrick Calhoun's return to San Francisco?" asked Heney after a stipulation had been made that the date of the United Railroads president's departure was May 21, 1904.

Rogers whispered to Calhoun and then said: "It was either the 21st or 25th of August, 1905."

He then said: "It was the day of the fire at the Alt."

James M. McFarlane, former recording

teller of the Crocker Bank, said his bank did not receive \$50,000 from the United Railroads in August, 1905. John L. Downing from the Union Trust Company brought deposit tags to show that the big wads of currency did not go to that bank. Walter McDevitt of the Wells-Fargo-Nevada Bank, who had charge of the emergency bank after the fire, told nothing in particular and told it very fast.

"The prosecution is closed," said Heney suddenly.

Abbe Ruef to his seat flushed a little and leaned upon his hand. Then he whispered to Charlie Hagerly, his clerk, and soon went into another time conference with Henry Ach, his lawyer. There was a buzz in the ranks of the attorneys for Ford.

Defense Elated.

Among his female relatives and friends, who have been numerous in attendance on the trial, there was a flutter and almost signs of relief. Happiness beamed through all the ranks of the defense. Ford's eyes gleamed and his breath seemed to come hard. "I will admit some surprise at the closing of the prosecution at this time," said Earl Rogers in his slow Southern drawl. "As we have not asked for any concession in the matter of delay, we will ask now that the case be adjourned until to-morrow morning so that we may determine whether we shall proceed to put in testimony or not. It will save time."

"I think you are entitled to that concession," said Judge Lawlor, and at the request of the Moore father and son, the adjournment was taken until 10 o'clock to-day instead of the customary 9:30.

But there is no direct testimony in
Bard or Paul and Abdul called
currency in that and made him
agent for the distribution to the King

...ing you through the alphabet



Hunting Gunmen Await the Opening of the Quail Shooting Season

Great Game Birds Are Reported Plentiful Throughout State

Oct 13, 1907

By Lawrence Lavers

Call

The quail is the most popular of game birds in the state. It is reported to be plentiful throughout the state. The quail is a small, plump, ground-dwelling bird with a distinctive crest. It is found in a variety of habitats, including fields, marshes, and coastal areas. The quail is a popular target for hunters, and its meat is considered a delicacy. The quail is also a common sight in the wild, and its call is often heard in the early morning hours.

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Huntmen Report Scarcity of Ducks on the Marshes

Shooting Continues Good in the Vicinity of Sacramento

Members of the Empire Club, a local sports organization, reported a good shoot Wednesday and Thursday. While no limit was made, the number of ducks shot was reported to be good. The shooting was held in the vicinity of Sacramento, where the ducks are known to be plentiful.

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BOOG IS SENTENCED 1907
Oct 13 ON FORGERY CHARGE
Mayer Boog, aged 37, who is guilty of forgery for having used the name of the firm of Alexander & Co., was yesterday sentenced by Judge Carroll to ten years in San Quentin. Boog, who had a bad record, was made the subject of a scathing lecture by Judge Cook, who said that he always endeavored to save young offenders from the army of crime and at this time had between fifty and sixty months on probation, rather than in jail, but in Boog's case he found it necessary to impose the law's penalty.

BRILLIANT RUGBY BY BLUE AND GOLD TEAM
Continued From Page 37, Column 4
In the early stages of the struggle when the Stanford team seemed able to make a stand against California, when the game was over the California students had returned upon the field in what seemed an invincible force, which quickly resolved itself into a large contingent made up of students in four of four. Headed by the largest band the students gave them a cheer about noon, all the enthusiasm of youth. The visitors from Stanford remained in their seats and sang and cheered their supporters as though they had left no stone unturned.

TECHNICAL MOTION BY Call
GEORGE COLLINS DENIED
Convicted Perjuror Is Nearing the Time of His Journey to State Prison 1907
The motion of George H. Collins, the first indigent found against him for perjury—that upon which a jury deliberated about two years ago—dismissed was denied yesterday by Judge Lawlor. The convicted man had based his motion upon the ground that he had not been brought to trial within 60 days, or within a reasonable time as the code provided. The court held, however, that the delay was principally due to the tardiness of Collins himself.

Meanwhile the time is approaching when Collins will begin serving his sentence of 14 years. The court of appeal has confirmed the sentence and unless the supreme court grants him a rehearing the one-time prominent attorney will "go across the bay" in a few weeks. It is not believed by the district attorney that Collins will be able to obtain a rehearing at the hands of the supreme court, there being no adequate ground for such action.

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Huntmen Will Welcome Northern Flight of Ducks

Hunters Defy the Law in the Neighborhood of Merced

The quail is a small, plump, ground-dwelling bird with a distinctive crest. It is found in a variety of habitats, including fields, marshes, and coastal areas. The quail is a popular target for hunters, and its meat is considered a delicacy. The quail is also a common sight in the wild, and its call is often heard in the early morning hours.

Shooting Continues Near in the Vicinity of Sacramento

and prices were allowed to spiral through carelessness in handling and fewer purchases were refused because the supply was exhausted. Cates, Cloy and Burke had found about how many birds they could sell daily and retailers were able to figure on how many they could make a profit on, however, was unexpected. In addition, always keeping less than 25 birds in hand, and the game commission was never kept busy making their permits. Mallards sold at wholesale on an average of \$6.00. Sprig and the other mallards were sold at \$4. At retail mallards were sold at 15 cents and 10 cents, and were sold at 10 cents a head and 10 cents a head, 10 cents a head and 10 cents a head, 10 cents a head and 10 cents a head.

Continued From Page 37, Column 2

Referee George Johnston had the players well in hand at all times and his decisions pleased winners and losers alike. This is the highest compliment which could be paid him.

California 12 points were made up of two tries and two goals kicked, which netted 16 points; one penalty goal for three points and two tries on which no goals were kicked.

Hunters Defy the Law in the
Neighborhood of Merced

bank of the Rio Grande levee
is a beautiful meadowing of three
or four different millions and
millions of birds and has probably
more than 100 species of birds
from these parts. There are
also all kinds of ducks, especially
the mallards, are raised in
large numbers, undisturbed except
from the noise of the railroads
and the passing of the trucks
of the levee. After walking
about the levee one can see
a beautiful blue air and
the birds are everywhere.



CAPTAIN BAUER IS RE-ELECTED

Oct 13 — 1907
Naval Militia Has Prospered
Since He Has Been
in Command. *Chron*



CAPTAIN GEORGE W. BAUER, WHO
WAS RE-ELECTED TO COMMAND
THE NAVAL RESERVE.

CAPTAIN GEORGE WILLIAM BAUER was again elected Captain commanding the Naval Militia of California, and Lieutenant A. A. Morey, commanding the Fourth Division at Santa Cruz, was elected Commander at the election held last evening, presided over by Lieutenant-Commander George E. Kammerer. Colonel Bauer graduated from the University of California with the class of 1897, and was commissioned Colonel of the University Cadets. He was commissioned Commander of the Naval Militia of California in 1901, and later was placed in command of the United States steamer Marston. He was commissioned Captain commanding Naval Militia of California in 1903.

When the United States Navy Department transferred the United States steamer Alert to the Naval Militia of California last June, Captain Bauer was placed in command of that vessel. During his incumbency the Naval Militia of California has increased from five to nine divisions. In response to the emergency call in April, 1906, the Naval Militia responded at an average of 27 per cent, the highest percentage in the National Guard of California. In its cruise of three weeks during last July on the Alert the vessel was handled entirely by the officers and men of the Naval Militia, without any assistance from United States Navy officers.

Captain Bauer was elected president of the National Naval Militia Association in 1905, and was re-elected to the position last June. The following commands of the Naval Militia were represented at the election: Headquarters Naval Militia of California, San Francisco.

First, second and engineer divisions of San Francisco, the divisions of San Diego, Santa Cruz, Eureka, Sanja Barbara and of Los Angeles. After the election the officers were the guests of Captain Bauer and Lieutenant Morey at a banquet, and Brigadier-General J. B. Lauck, Adjutant-General of California, was the guest of honor. The following officers attended the election and participated in the banquet: General J. B. Lauck, Colonel D. A. Smith, Captain Lucien Young, U. S. N., Captain George William Bauer, Lieutenant-Commander George E. Kammerer, Lieutenant H. P. Smith, Commander E. J. Louis, Lieutenant-Commander M. Ray, Commander T. B. W. Leland, Lieutenants John A. McGee, T. S. Harne, D. M. Stewart, A. A. Morey, E. McLaughlin, A. H. Woodbine, William Speck, J. McMillan, C. C. Denz, O. F. Westerfeld, Lieutenants (junior grade) W. E. Conlin, A. J. Fritz, J. Parrish, J. H. Willey, T. F. Foley, F. J. Smith, E. Link, J. Jordine, L. Backlund, W. Pongdon, Ensigns E. Mosbacher, I. C. Allen, L. Ferrari, H. C. Buckle, J. H. Davis, L. A. Sprague, A. H. Adams, L. L. Bernard, J. P. Smith, J. D. Cavolito.

DISAPPEARANCE OF HARRY NONNAST TIES UP ESTATE

Oct 20 — 1907
Large Fortune in Chicago
Awaits the Return of
Missing Man *Call*
FRIEND IS SEARCHING

When Last Heard From He
Was About to Undergo
an Operation

By the disappearance in San Francisco of Harry W. Nonnast of Chicago, whose disappearance from this city has tied up a large fortune in Illinois.

Nonnast left his home in Chicago July 8, 1906, and came to California for his health. He was last heard from in San Francisco one month later, when he wrote home acknowledging the receipt of a remittance of \$200, which had been sent him for the purpose of paying the expenses of an operation for internal complaint for which purpose he was about to enter a local hospital.

The receipt for the money was received at Chicago.

Letters written him to San Francisco have been returned unclaimed and Harry W. Nonnast has dropped out of sight and out of his friends' lives as completely as if he had died.

Upon the death of his uncle, who left the large estate which has caused a sudden search to be made for the missing man, it was found that Nonnast was heir to a considerable fortune, jointly with other legatees. The provisions of the will require that Nonnast must either be proved dead or be found before the estate can be distributed.

Hence Henry Griffin, an old schoolmate of the missing Nonnast, came to San Francisco four months ago to take up the search for the lost legatee. The records of the morgue, the hospitals and the police department have been scanned by the searcher without revealing the slightest trace of any person bearing resemblance to Harry W. Nonnast. His friends say he was given to wandering and may have gone on a visit to a foreign place. He is said to have been rather a morose, solitary man, not fond of society.

Harry W. Nonnast of Chicago, whose disappearance from this city has tied up a large fortune in Illinois.



DENY CHECK WAS SIGNED BY TRUST CO. ATTACHE

Dec. 12 — 1907
Cushing Asserts He Knows Nothing of
Homer and H. L. Storrs Says He
Did Not Get \$25,000 on Note.

Attorney C. S. Cushing, of the California Safe Deposit Company, declares that he knows nothing of the checks which are reported to have been signed by H. L. Storrs and other attaches at the bank and cashed by one of the officers.

According to the reports yesterday, the Bank Commissioners have discovered among the items of this character listed as assets a note drawn by Storrs for \$25,000. Storrs denied that he had received this money.

"I know nothing about Storrs' check for \$25,000," said Cushing when seen at his home in Mill Valley. "The inquiry now being made into the bank's affairs is confined to the national branches. We have not begun to examine the late the notes at the main office of the bank and until we do so I will not be in a position to discuss this matter with any degree of positiveness."

KEARNY'S DAUGHTER SEEKS TO RECOVER OLD DEBT.

An action growing out of a check said to have been performed by Victor Kearny for George K. Fitch and Louis Pickering, both deceased, was filed in the County Clerk's office yesterday. Margaret Zender, Kearny's daughter, brought suit against the executors of the estate of George K. Fitch for \$20,000 on a claim which had been rejected by the executors. The claim is based on a note signed by Fitch in which he says that on account of the great favors done himself and Pickering by Victor Kearny for which he was to have been compensated, he acknowledged an indebtedness of \$20,000 and specifies that if the sum is not paid by his death it shall come out of the estate. After Fitch's death the claim was transferred by Kearny to his daughter. *Dec. 3 - 1907*

AUGUST 10, 1907

JOSEPH HARVEY, WHO DIED AFTER A BRIEF ILLNESS



and Judge Dunne put a stop to the heckling by quietly asking Dr. Shumate:

"What is Mr. Harvey's present condition?"

"His condition is very, very serious," replied the doctor.

Then Judge Dunne said he would continue the matter until Monday morning and admonished the jurors to be careful about letting anyone discuss the case with them. Juror Bliss said he'd like to be away on a business trip until Wednesday, and Schlesinger at once agreed that he could go.

"God alone can tell whether Mr. Harvey ever will be able to respond to the mandate of this court," said Schlesinger. "If he should recover he would be at least a month before he would be in condition to stand the strain of a trial, and a regard for the decencies—" began the attorney for the defense.

"It's not a matter of regard for the common decencies," interrupted Johnson, "but of a regard for the common rights of the people. This court has had some experience in these matters, and it has been shown that some physicians and some lawyers cannot be trusted. I do not mean to reflect on Dr. Shumate or any lawyer present. But we must exercise due care."

After this juror Bliss was excused until Wednesday, and the other jurors, with the witnesses, were told to be on hand again Monday, when something more definite about Harvey's condition will be reported.

In speculating on Harvey's chances it has been recalled that it was Dr. Shumate who performed the operation for appendicitis on the late William H. Alford, and that Alford was found to be in much the same condition as Harvey. The illness of Harvey, or even his death, will not affect the other Kraft cases, except in so far as a fatal termination of the patient's illness would put an end to all hope of getting him to confess during some period of weakness or because of some promised immunity.

**NOTICE TO CREDITORS - ESTATE OF
THEOPHANA DUTCH (deceased)**

Notice is hereby given by the undersigned
Theodor Dutch Kleinfuchs, administrator of
the estate of Theopha Dutch, deceased, to the
creditors of, and all persons having claims
against the said deceased, to exhibit them with
the necessary vouchers within ten months after
the first publication of this notice, to the said
administrator, at the law office of Knight &
Huggett, attorneys for said administrator, at
Room 515, Patrick Building, 825 Market Street,
San Francisco, California, the said being the
place for the transaction of the business of the
said estate in the City and County of San Fran-
cisco, State of California.

THEOPHANA DUTCH KLEINFUCHS,
Administrator of the Estate of Theopha
Dutch, Deceased.
Filed at San Francisco, May 19th, 1911.
KNEIGHT & HUGGETT, Attorneys for Ad-
ministrator, 825 Patrick Building, S. F.
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Filed at San Francisco, May 19th, 1911.
KNEIGHT & HUGGETT, Attorneys for Ad-
ministrator, 825 Patrick Building, S. F.
May 19th, 1911.

Wm. S. Knoll to Otto L. Wilson, MH 53, N 21st,
 15 W Harrison, W 25 by N 164, \$3,000.
 Elizabeth Duff to Richard M. Barry, MH 74,
 E. Garrison, 50 N 22d, N 24 by E 165, —
 Wm. B. and Ida M. Parodi to John O'Hara,
 MH 60, and 4 10 S 12th, 125 W Sharon, W 60
 by S 1st, \$270.
 John J. and John Schuster to Louis Schuster,
 MH 148, S 22d, 60 W Hampshire, W 60 by S
 160, \$1,500.
 Louis J. Parillo to Angela Gotelli, HA 65, E
 Christiana, 173 S 23d, S 30 by E 117, \$3,000.
 Ferdinand P. and Agnes M. Halos to Amanda
 Mahlsberg, HA 84, W Vicksburg, 120.6 S 22d,
 S 22.6 by W 100, \$1,500.
 John P. and Mary I. Derbaum to Pacific States
 S. L. & H. Co., HA 130, 185d, d 70, S Copper, 22d
 W Sanchez, W 24.11 by S 114, \$1,700.
 Patrick J. Hickey to Hattie H. Dana, 60th
 24 and 1/2 S California at N W cor. Beach and
 Water Lot 232, E. 27.6 by S 61.8, \$18,000.
 Savings and Loan Society to Secondo G. and
 Louisa Burel 20th 161, N Clay, 28 E Walpole,
 E. 28 by N 60.6, QCD, —
 Secondo G. and Louisa Burel to Chas. and
 Emma A. Blythe, 20th 161, N Clay, 137 d W
 Powell, W 28 by N 64.6, \$2,500.
 Samuel W. Wall to James Mackie, 20th
 243 W Jones, 60 S Pacific, S 30 by W 62.4,
 QCD, —
 Sarah A. Wall to same, same, \$3,000.
 Daniel H. and Alexander Porter to Elizabeth
 R. Bush, 20th 270, S Valley, 102.6 W Leaven-
 worth, W 27.6 by S 127.6, \$2,100.
 Same to Joseph A. Bush, 20th 270, S Valley,
 200 W Leavenworth, W 27.6 by S 127.6, \$2,000.
 Abraham C. Freeman et al to Antonio Borel,
 1000 388 8th Borel, 300 S NW 5th, NW 45.10 by
 NE 275, \$12,500.
 Wm. H. and Georgia Buckler to Vin R. Chad-
 bourne, 6d, block 3, W 5th at 1st N Lake st,
 S 25 W 113 84, SE 22 1/2 S, E 110 01, \$2,000.
 Volney Kerr to Elizabeth Kerr, 33 Eugene
 23, E NW corner at NW 21.4 by NW 7th, lots
 121, 122 and 123, 10th 12d, —
 Wm. Nield to Annie Bode, lot 7, block 12,
 Fairmount tract, QCD.
 V. Hallin to Paula Ritters, lot 6, block 5,
 Madison 112 1/2 112 1/2 112 1/2.
 Rachel Borel to Charles Albert and Henry



PACIFIC COAST FOREST, FISH AND GAME ASSOCIATION

WM. GREER HARRISON, President
JAS. D. PHELAN, Vice President
RICHARD E. FOLLETT, Secretary
J. D. HICKMAN, Treasurer

RECEIVED TELEGRAPH ADDRESS: 2101 24
TELEPHONE: 2101 24

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4116-411607

SAN FRANCISCO, CAL. Feb. 10th 1905

With compliments of the President.

SAN FRANCISCO, CAL., FRIDAY, FEBRUARY 10, 1905.

THE EYES OF THE JUDGES AT OAKLAND

SPORTSMAN'S SHOW WILL TRANSFORM PAVILION INTO A FAIRYLAND.

Nature's Storehouses to Be Driven On for Game and Fish

Exhibition Hall Will Be Redolent With the Odors of Woods in Springtime

ATHLETES TO PERFORM

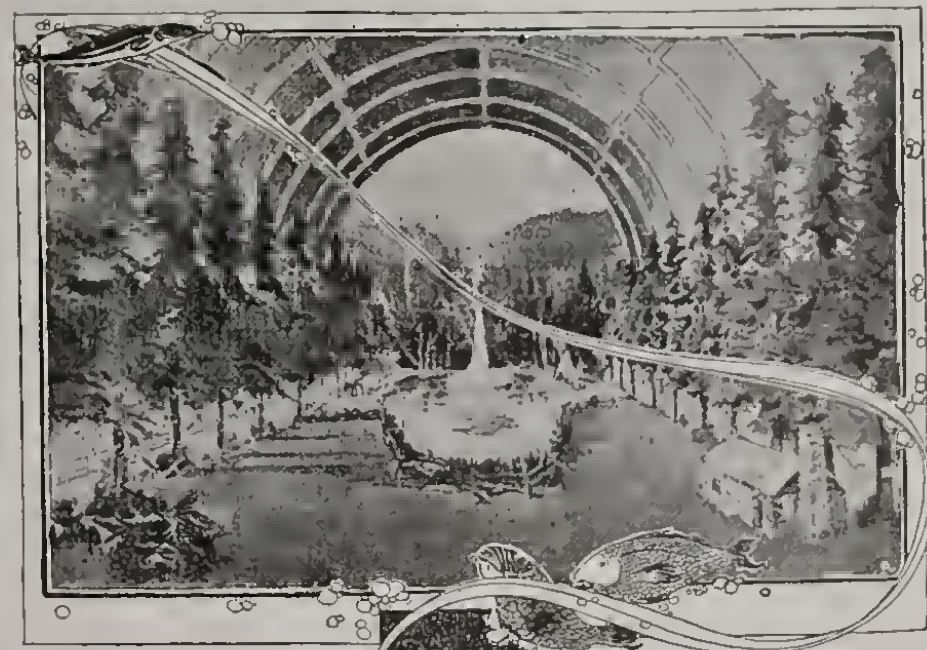
Will Take Part in Pastimes of the Track and Field, Showing Various Sports

When the casual spectator steps into Mechanics' Pavilion on April 1 he will think he has been transported to fairyland. Stretching before him will be a long avenue of immense trees. At the far end of the building will be a vista of mountains with a genuine waterfall leaping from rock to rock until it reaches an immense pond in the center of the building. Indian legends will flank the banks of this miniature lake and on all sides will be seen nature's riches in the shape of the varied animal, vegetable and fish life of California and the great West. Such is the central idea of the sportsman's show which is being fostered and promoted by the Pacific Coast Forest, Fish and Game Association, of which William Greer Harrison is director general. The illustration shows in a small way the intent of the management. This is the central decorative idea of the most novel exhibition ever attempted in California.

The sportsman's show will also be a nature show, instructive in a large degree and intended to educate Californians as well as picture to Eastern visitors the vast natural resources of the Pacific slope. This has been called the sportsman's paradise on account of the great variety of game and fish that inhabit the mountains and plains, streams and ocean. For the preservation of this game and fish the exhibition is expected to be of considerable assistance. A large committee of California's foremost citizens are interested in making the show a great success with this idea always in mind.

Two weeks is the allotted time for the affair to run and a special attraction will be provided for each afternoon and evening. All forms of outdoor sports will be exploited and some of the indoor sports will be added for good measure. A rifle range for prize shooting with carbine and revolver will form one feature. An athletic field will be utilized for a variety of sports, including indoor baseball, association football, basketball and kindred pastimes. There will be a stage for smaller exhibitions. Even the children have not been overlooked. Dr. F. W. D'Evelyn, chairman of the children's committee, announces a special department will be devoted to an exhibition of children's pets other than cats and dogs, the stipulation being that the exhibit must be either a bird, animal or plant reared by the child who enters it in competition. In this way it is hoped to foster and encourage the innate love of living things in the young.

Robert E. Follett has resigned the position of manager and director of exhibits and the position has been abolished, although Mr. Follett remains in an advisory capacity. He pleaded lack of knowledge of local conditions and the reins of management have been handed to Mr. Harrison, who will devote his well-known energy and ability to the carrying out of all plans to make this an exhibition memorable to California. The separate committees are all in charge of energetic chairmen. The proceeds will go to charity. It starts out as a success on these grounds.



'CHASERS MEET IN GOOD RACE

Horses Take Their Fences in Clever Style, Decimo Drawing Away at Finish

LOS ANGELES, Feb. 9.—The handicap steeplechase proved the best jumping race ever seen at Ascot, every horse fencing cleanly and running together to the last jump, where Decimo, the favorite, drew away and won easily from Allegiance and Cazador.

The second race went to Del Coronado, the strongly played favorite, through Miller's splendid ride. Mammon was second and Jardin de Paris third. William Wright was another red-hot favorite which made good. In the last race Tryon, the first choice in the betting, was beaten off. Weather cloudy; track fast. Summary:

First race, steeplechase, short course—Decimo, 120 (Hughes), 9 to 5, won; Allegiance, 150 (Dutton), 5 to 2, second; Cazador, 140 (Tully), 8 to 1, third. Time, 3:08. Jim Briseman and Nihilist also ran.

Second race, one mile—Del Coronado, 90 (Miller), 3 to 2, won; Mammon, 90 (Hilton), 8 to 1, second; Jardin de Paris, 92 (Hilton), 1 to 4, third. Time, 1:42. Rose of Hilo, Nihilist, Charlie Belle Dixon and Statik also ran.

Third race, six furlongs—Retader, 105 (Treubell), 1 to 2, won; Nihilist, 110 (Miller), 1 to 2, second; Linda Rose, 110 (Hewson), 6 to 1, third. Time, 1:10. Buckskin, 110 (Hewson), 1 to 2, second; Araba, 110 (Wahlan), 5 to 2, third. Time, 1:10. Nihilist also ran.

Fourth race, one mile—The Intrepid, 95 (Hilton), 3 to 1, won; Nihilist, 95 (Miller), 1 to 1, second; Rose of Hilo, 95 (Hilton), 1 to 1, third. Time, 1:22. Don also ran.



ENGINEER'S PLANS FOR DECORATION OF MECHANICS' PAVILION FOR SPORTSMEN'S SHOW

GOLDEN WESTS BADLY ROUTED

Milwaukee Bowlers Take a Brace and Roll Up Big Score in Second Match

The Milwaukee bowling team managed to get into the game last night long enough to give the champion Golden West aggregation a beating that was almost a disgrace. The final score of the combat on the California

COAST PLAYER IN FINE FORM

Sigourney Gains the Honor of Playing in Final for the Billiard Championship

CHICAGO, Feb. 9.—The deciding game for the amateur billiard championship of the United States will be played to-morrow night between W. H. Sigourney of San Francisco and Charles F. Conklin of Chicago. These two men are tied for first place, each having won five games, with one on the losing side.

Gardner of New York, who was tied with Sigourney for second place at the commencement of 10-night game with the Pacific Coast player, takes down the third prize, with four games won and two lost. The fourth prize goes to Charles S. Norris of New York and the fifth place to Charles Thresh of Boston. These two players, who were tied for fourth place, played off the tie to-day and Norris won, 200 to 250.

The final scheduled game of the tournament, played to-night between Sigourney and Gardner, was won by Sigourney, 200 to 150. With a run of 57 in the second inning the Pacific Coast player took a commanding lead, which he steadily increased to the finish. Sigourney's average for the game was 19.14-29. Gardner made a high run of 64, and his average was 43.23.

Following is the grand average of the six games of the tournament and the standing of each player.

W. H. Sigourney, 200 to 150, 43.23 average.
Charles F. Conklin, 200 to 150, 43.23 average.
Charles S. Norris, 200 to 150, 43.23 average.
Charles Thresh, 200 to 150, 43.23 average.

KYTKA ON THE STAND.

Willows Daily Journal



LATE WILLIAM MURDOCK ALLEGED SIGNER OF THE NOTE.

The above picture is taken from the only photograph of the late William Murdock in existence. It was taken years ago and looks very little like the old rancher in later years.

At the opening of court at 10:30 today, expert Carl Eiseenschmel was again called to the stand by defendants and was handed a number of the old checks for further analysis of the formation of the letters in the last name, they being old checks signed by Wm. Murdock in the year 1877—the date upon which the note purport to have been signed.

After stating again the difference in the various checks and the note, he was turned over to the tender mercies of Grove L. Johnson for cross-examination.

He was asked if he had examined the writing on the various checks other than the signatures, and replied that he had not. Johnson humbled him some of the old checks and he picked certain ones which he said were written by Murdock

and others. Asked if he remembered when T. J. Kirkpatrick was on the stand when the affidavit was introduced, if, sitting by the side of Kytko, in this court room, he whispered to Mr. Kytko and said:

"Get hold of that and make a photograph of it and we will knock it out."

Said there was not a word of truth in it. Asked if there was any doubt in his mind that the note was copied from the deed of 1890, and there was none whatever.

Matters began to grow somewhat heated between counsel and witness, the court finding it necessary several times to put a stop to the hot bandying of words.

Witness continuing, said his profession was a science, art and trade. As a scientist, he said that by three rules it ought to be "exact," as follows: alignment, stance and pressure.

Asked if experts on handwriting ever disagreed, said sometimes they did.

Asked if he ever testified in any case where Daniel T. Ames also testified, replied that he had. Said they both were witnesses in the Davis will case and that they disagreed. Ames testifying that the will was genuine, and witness here, said it was a forgery.

Witness also asked if he had peddled his opinion around the streets of San Francisco that the note was a forgery.

Positively denied that he had done so. Said that he had mentioned the matter to his family at the dinner table.

Q. Did you not peddle around the streets of San Francisco the opinion you had given Mr. Cannon that the note is a forgery?

A. No, sir.

Witness was asked by Johnson if 2,000 reputable people should swear that the signature to the note was in the genuine handwriting of Wm. Murdock if he would believe it. Witness said it would not change his opinion one particle.

Witness was turned back to the defense for re-direct examination by General Barnes just when the noon recess arrived and court was adjourned until 2 o'clock.

Afternoon session commenced by calling Theodore Kytko back to the stand on behalf of the defense and asking him to place the "Wm." of the deed of March 12th, 1890, and the "Wm." in the note, one above the other, under the barrel of the microscope, from which had been removed the lens of the instrument, and the jury called to examine the instrument. While the jury was beginning to make the examination, accompanied by the court, lawyers and expert Kytko, Grove Johnson thought he heard the expert invite someone to "take hold here" or something to that effect, which called out a loud protest on the part of the ever-watchful leader of the plaintiff's side.

To tones that indicated that his Honor is becoming weary with the jangling, he remarked that the "episode is now over gentlemen", when calm reigned again.

If the law permitted the jury to draw pay for traveling to look at exhibits under the microscope, under direction of court and counsel, their mileage would eat up the note, being called so frequently to take a "peep" at this and that.

Witness went to the board and made a pretty "Wm" with white chalk and then

at certain places touched it up with red chalk, to show wherein there is a difference in the devil signature and the signature to the note.

Witness then stated as a fact that in all of Murdock's signatures examined by him, in no case was there any attempt at patching to correct any failures, whereas in the note patching is everywhere apparent.

Witness then went back to the stand with a tail turned up like a stinging scorpion, which he said never occurred until December 19, 1879, in the genuine writing, but that it always terminated with a backward flourish under the name. The defense of course are laying stress on the fact that the note made in 1877 is the one single departure from the universal rule, before December 19, 1879. The defense have arranged all of the old checks, 110 years, carefully keeping each year by itself in the bunches. In this manner they are passed around among the jurymen to have the statement of the witness verified as to the fact that the note furnishes the first example of which the "k" terminates with an upward hook. Answering as to when he first began the study of the Murdock signatures, said that on February 21, 1899, when Mr. Lusk and Mr. Hayne gave him 79 checks for examination. He made enlargements of them and made an exhaustive study of them. At that time he had not seen the disputed document. He then came

(Continued on page 105)

to Willows and saw the note for the first time, on April 6, 1899. Said he began making a study of its general characteristics under the microscope when "all of a sudden I was struck with the sameness in the two 'Wm's.'" It convinced me so that I stopped right there."

He said the marked effect of the tremor in the writing of the note that is not found in anything else, but that in all of Murdock's writing there is an "emphasis" on the down strokes, causing them to be heavier as they proceed downward.

It is rumored that the object of the plaintiff's attorneys in having witness Eiseenschmel identify the handwriting in the body of checks this morning, is to show that Murdock didn't write his own checks, but merely signed his name after they had been drawn up.

The formidable looking microscopes sitting around on tables and leveled upon various objects are like the pictures to our minds of the big cannon at Fort Point, Presidio, Cal.

Witness was asked what he considered the most conspicuous piece of patching in the signature to the note and replied that it is found in the letter "o." He went to the board again to make the letter to show how it was done by the copyist, as he styles the writer of the note, if it is a forgery, which he insists that it is, to the extent that the lawyers have to hold him down to keep him from arguing the matter to the jury as he explains the manner of the writing of it.

Expert Eiseenschmel testified today that, like Ames, he had no contract with the defendants as to what he was to receive as compensation for his testimony, but expected to receive \$100 per day.

The curiosity of the public with reference to expert testimony has been so far gratified that the crowd has fallen away, and are resting up for the time when the experts shall have concluded and witnesses whom they know are called to the stand.

The public have the understanding that each side has something up its sleeve that will stun the other side. For illustration Attorney Bayne in his opening statement for the defense, promised that they would prove that it was a "physical impossibility for Wm. Murdock to have signed the disputed note." The generosity of people take that to mean all that it could, to wit:

That he was somewhere else at the date the note was signed. Or that he was physically unable to have signed it at all, etc. On the other hand, the unusually hard work of the defense is by their experts and other wise will be smothered in a jiffy when the rebuttal comes to be heard.

The whole of the afternoon has been consumed by Kytko in demonstrating on the board and setting the microscope on documents, how the note was written, and pointing out to the jury where filling-in has been done. Witness was asked by General Barnes if he could produce a work, with the same kind of patching and piecing, as the note is, and answered in the affirmative. When asked by General Barnes to do so, replied that he was not prepared just at this moment as he would have to go and get his pen, glass plate, etc.

He was asked to bring them in the morning. Plaintiff gave notice of objection to such a proceeding. The witness volunteered the statement that he had done the same thing in the Becker and Creagan forgery case, when court adjourned.

The Shrinking Fish
That Swallowed a
Pocket-Knife.

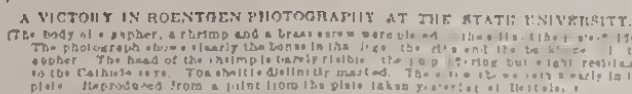
Expt. 11.2. Corr. of Indicator Drow
Successively with the Cathode

Feb. 23 ^{Day} 1896
COMPONENTS FOR "THE EXAMINER."

Improvement in Local Inter-
est in the U.S. & Democracy Since the
Experiment of the Paper began.

the ability for more satisfactory apparatus than can be obtained here to make the technical and more important aspects in photographing through opaque objects, according to the means discovered by Professor Henslein of Wurzburg, Dr. Philip W. Jones, who is conducting the investigations for "The Franklin," is consulting his lists with small objects, and with experience gives some new and interesting information concerning the application of the process of the Harrier physical.

about the aspects in physics in San



graphed in New York for Crookes tubes of high vacuum, Mr. Mamule offered to lend tubes in his possession. The chemist, Professor William T. Wadell, offered the use of some tubes from his laboratory. None of these tubes thus far tested are of equally high vacuum with a bulb made in this city, according to Dr. Jones' device, and hence are not equally efficient.

At Berkeley very successful experiments were conducted yesterday. They are described by the pictures and by Professor Gory's article.

Dr. Fick, Surgeon of the United States Army, stationed at the Presidio, has made flashlight photographs of the apparatus.

plate shows the fish both alive and dead
also—an unexpected and interesting effect

THE POST IS THE STATE.

Mr. Jones Wilkes of the Capersmen
and at a Mysterious Plotting.

A small gulf fish, through the body of which the blade of a pocket-knife has been thrust, furnished the subject for an experiment yesterday. The result was most successful and was much better than I had anticipated. Owing to the fact that the bones of small fish are in their nature more cartilaginous than those I expected, but a tract of the bone, the negative, however, shows a slight wavy one of the malleolus and ribs. They present much the appearance of the fore.



THE GOLD-FISH AND THE KNIFE THAT STABBED HIM.

Princeton and the neighborhood the closest station is given to "The Examiner" exhibition, the first successful trial of the Kinetograph photography in this part of the world. The complimentary message from Professor Fernando Sanford, the colleague of the physicist of Stanford, who has studied photographic effects of light on the retina and is total darkness the year before Professor Goethe's discovery that the retinal ray produced a permanent image, indicates the importance of the study.

used in "The Examiner" experiments and is preparing a report of the test to transmit with the photographs to the Surgeon-General of the army.

A photograph, or cathodograph, made yesterday by Dr. Jones for "The Examiner" gives the best result yet accomplished. A small gold fish, lately deceased, was the subject. Through the fish was thrust the blade of a penknife. The side bones or ribs of a gold fish are so fine that their shadow on the plate was hardly expected. Yet

At the commencement of the exposure the fish was wet, but as time elapsed it dried off and abruptly in the longitudinal drawing the head and the knife blade toward the tail, which remained the fixed point. The double shadow of the head and tail are very plain on the negative.

A curious fact has occurred in my work which I am somewhat at a loss to explain. The tube or bulb, with which I have succeeded in making the cathodographs was filled with illuminating gas and then highly exhausted, the terminals are thin platinum disks. During the course of the exposures the inside of the tube has slowly become

The experiments so far have been under the supervision of Mr. Drew and myself, but many other professors and instructors have done reliable work. Professor (Miss) N. B. Conant, the photographs and Mr. J. N. Le Conte and Mr. Cottrell have assisted in many ways. Among those who assisted and assisting in the experiments to-day were Dr. Joseph Le Conte, Professor Shila, Professor Rietz, Mr. Raymond, Dr. Lowell, Mr. Harman.

C. L. CORY,
University of California
Berkeley, February 22, 1926

[illegible]

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MINER-ATTORNEY IN TROUBLE

Thomas Huff, who has been appearing in his own attorney in a succession of suits involving \$15,000, 600, and has been indicted for the Federal grand jury on the charge of perjury appeared before Judge (the Nation) today, pleading not guilty. The case in question is known as "No. 1 below three cases," and is on appeal from the trial of Huff, John H. Henson, E. O. Haddock and the Pioneer Mining Company are the present owners. Huff, asserting that he was the real owner of the property, conducted suits against Huff, Henson and the others in Alaska, Washington and California. It having been tried here in the United States District Court and the Circuit Court with in the past few weeks. Huff lost in each instance, and now the perjury charge comes to add to his troubles. The allegation is that on August 15, 1904, Huff received \$20,000 from Huff, Henson, et al. for his mines, and that in 1905 he committed perjury. It is also alleged that he perjured himself in denying his signature in deeds to the mine.

Handwritten: 12-19-06

BYINGTON WAS SUCCESS IN OFFICE

Records of the Criminal Courts
Show He Prosecuted a Pro-
digiously Large Number of
Cases and Lost But Very Few

The three departments of the Superior Court, in which are assigned the trial of criminal cases, were found with very few undetermined actions upon their calendars at the beginning of the year. Two of the departments in the Hall of Justice have been compelled to adjourn, from time to time, owing to the fact that there were no cases to be tried. And yet, during the last four years, there have doubtless been more protracted and stubbornly contested cases than at any other period of like duration in the history of the District Attorney's office. A great volume of work, involving arduous labors, has been disposed of by District Attorney Byington. To appreciate this it is but necessary to recall some of the most important trials, namely that of Mrs. Eolkin, of Robert E. Glass, of Martha E. Bowers, of John M. Christen, of the murderers of Alice, the trial of Leon Golden, of Joseph Frid, Edmond de La Brouse, Harry Reddick, Henry Milton alias Lupton, the Nolan gang, of Frank Woods alias "St. Louis Frank," Alan Goucher alias "The Kid," James Courtney alias "Leadville Jimmy" and three others, constituting the desperate gang that cruelly murdered police officer Eugene C. Robinson on Valentia street. Several weeks were taken up to the trial of each of these cases. Nearly all of them were handled personally by District Attorney Byington and all resulted in convictions.

In the Robinson case five of the criminals involved in the murder fled to other States and countries, yet all were apprehended, returned to the jurisdiction and convicted. Goucher was found in Minnesota three years after the perpetration of the crime.

During the three years served by District Attorney Lewis P. Byington there have been over 40 convictions upon charges of burglary and 144 upon charges of robbery. In the years 1903 and 1904 of 14 defendants successfully brought to trial, upon charges of murder, 12 were convicted. Seven persons convicted of murder have been sentenced to be hanged and two have been executed. In the last four years there have been over fifty convictions upon charges of forgery and but one acquittal, and in the latter case the verdict was brought in under instruction from the court, the complaining witness having left the State.

Upon the ending of Mr. Byington's term of office and the introduction of his successor it was remarked in open court by Judge Cook, who has presided longer in the trial of criminal cases than any other judge now sitting upon the bench of the Superior Court, that in the 24 years of his practice before the bar and his 9 years upon the bench he had never heard a District Attorney or an Assistant District Attorney, who could make a more convincing closing argument to a jury than could District Attorney Byington.

CARRIES SECRET OF NORA FULLER CASE TO THE GRAVE

Samuel T. Raguel, Waiter Who
Told Police of Dinner Party
on Eve of the Girl's Disap-
pearance, Takes His Own Life

Samuel T. Raguel, who, thirty-six hours ago, was perhaps the one man living that could have thrown light on the most mysterious murder that ever baffled the leniency of the police of this city, was yesterday morning found dead in his room at 213 1/2 Mason street. With him died, it is believed, the true history of the cold-blooded murder of pretty Nora Fuller.

Of all the murders that have been chronicled in the criminal annals of this city, none more brutal, none excited more widespread attention, none was more revolting than the killing of this sixteen-year-old girl. The case is famous. Expert detectives have laid their brains in vain for a clue, the State has been scouring for a trace of the man who committed the crime, thousands of dollars have been offered in rewards for the arrest of the murderer. Yet he is above ground he is still at large, while the remains of his outraged victim have long since turned to dust.

The story of the crime is, in brief, as follows:

On January 16, 1902, Miss Nora Fuller disappeared from her home in this city. About three weeks after her disappearance—or, to be exact, on the 8th of February—her body was found in a vacant house at 211 Sutter street. It soon became known that the girl had been lured to the place by a man, who had murdered her. Many theories as to the identity of her murderer were advanced, many clues were run down to barren endings by reporters and police. The identity of the child's slayer remained a mystery.

Shortly after the murder, Raguel, the man who took his own life Friday night, said that Nora Fuller, a girl friend, Mabel Graham, the latter's guardian, Lawyer Edward Stearns, and another man had dined on the evening of Nora's disappearance at the Orpheum Cafe, where Raguel was employed as a waiter. That was all the information Raguel gave the police.

That the man knew more than he told about the murder there can be little doubt. Within the past month he told the landlady, Mrs. Clara E. Ronald, who owns the lodging-house at 213 1/2 Mason street, that he could tell all the facts of the case. In his trunk, he said, were documents which, after his death, would lead to the arrest and conviction of the brute who snuffed out the young life of Nora Fuller. That he possessed this documentary evidence, which, to suit some purpose of his own he had kept secret for so many years, is firmly believed by Mrs. Ronald, who is of the opinion that her former lodger, when he determined to take his life, decided to let his secret die with him.

Neither the police nor the coroner's deputies have been able to find among the possessions of Raguel anything in throw light on the Nora Fuller mystery. When, about 10:30 yesterday morning, Mrs. Ronald traced a strong odor of gas to Raguel's room, she had tried his door and found it locked. She at once sent a messenger to notify the police. A Central kindergarten hospital ambulance, in charge of Stewart O'Day, was passing, and O'Day was hailed. He entered Raguel's room through the window and found the occupant lying naked on the floor, quite dead. The gas was turned on.

Policeman L. C. Clark arrived in a few minutes and took charge of Raguel's effects until the coroner's men arrived. The policeman learned from Mrs. Ronald the story told to her by Raguel, and the latter's possessions were removed to the coroner's office. One letter found related to the Fuller case. It was dated March 17, 1902, and was addressed to the editor of an evening paper. The letter denied that the writer had made conflicting statements regarding the alleged visit of Miss Fuller to the Orpheum cafe, and was evidently written as a correction of some statement published in the paper of the previous day. That was the single document pertaining in any way to the Nora Fuller case found among Raguel's effects.

Raguel, who lived at the Mason street house about three years, was by trade a waiter, although he seldom worked. He was, so Mrs. Ronald says, a gambler, and among his effects were a number of pool tickets issued in Abrams' poolroom, in the basement at the corner of Ellis and Powell streets.

Among the letters found in the dead man's trunk was one from his niece, Miss Ella E. Roth of Robbinsdale, Minn., and another from his brother, A. G. Raguel, at Davenport, Iowa. His family is said to be wealthy. Raguel was a member of Walters' Union, Local No. 30, and his remains will probably be interred by that organization.



Negative 3. Dord. V.E.
3, 10. Leno.

Collinear Lens. Take N. 8.
Both negatives made from the same spot. Window is 1/2 Black off
the glass on the left. N. 11. 12.





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KYTKA.

First Term 1907



KYTKA SAVES LEGAL RECORDS

Theodore Kytka, the handwriting expert, is the only man living who can identify the exhibits in the Cordelia Balkin murder case, now on appeal to the Supreme Court. The originals were destroyed, but Kytka's laboratory and photographic records were saved. He also saved the photographic records in the Spangler grain-mixing case and the Davis will case, the originals of which went up in flames. The Davis case duplicates of the photographs are in New York.

Kytka has successfully opened four safes in the burned district and saved their major contents. His method is to place gunny sacks around the safe and keep them wet for twenty-four or forty-eight hours. This cools the receptacle and aids in moistening the parched papers within, which otherwise, upon exposure to the air, would crumble or burst into flames.

SIX MONTHS FOR ARGENS
Henry Argens, who was arrested August 4 for stealing a telephone box from a station at Ellis and O'Farrell streets, was allowed to plead guilty to petty larceny in Police Judge Weller's court yesterday. The judge sentenced him to serve six months in the county jail.

Soldiers Are Accused of Theft.
Theodore Kytka, handwriting expert, reported at police headquarters Wednesday afternoon that two militiamen, members of company E, First Regiment, had broken into his residence at 2405 Howard street on Monday. They made a thorough search for coin or jewelry, but found none, he said. They took from the laboratory two pistols and also a revolver belonging to Kytka's watchman. They also broke into two adjoining houses. Kytka said he has two witnesses who can identify the militiamen. He said he complained to Captain Choyinski, who did not believe that the offenders were militiamen, but boys dressed in discarded uniforms of the guards.

Kytka added that residents in his neighborhood have become so incensed by the depredations of thieves and burglars that they have engaged the services of two armed men, with instructions to shoot any one caught looting.

Argens's Trial Continued.
When the second case against Julio A. Argens, charged with felony embezzlement on complaint of Madame Helen Tetradini, the diva, came up for trial in Judge Lawlor's court yesterday, District Attorney Byington asked for a continuance for a week, as Theodore Kytka, a material witness in the case, was engaged in another court. The defendant's attorney objected to the continuance, but it was granted by the judge.



PACIFIC COAST FOREST, FISH AND GAME ASSOCIATION

Y 4, 1906.

DO NOT FAIL TO
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Beginning With Next Sunday
"The Examiner" Will Give
Series of Panoramas.

PICTURES THE FINEST YET

Set, When Complete, May Be
Attached, Making Continu-
ous Roll 150 Inches Long.

As much as the birds were about of
San Francisco have pleased the readers
of "The Examiner" and that it is
in the event that the supply has been
unable to meet the demand for the
Sunday issue, it has been arranged to
give something better with the Sunday
Examiner, the first of a
series of panoramic views that will
take in the whole city and be a great
thing.

The panoramic views will truly
and graphically picture San Francisco
as she is, and each of the five views
will be separately and different part of
the whole which when complete may
be attached, making one continuous
roll 150 inches long, a fine picture
which will be a great help to the
city and of the temporary structure
last, covering them and furnishing
proof of the rapid work going on.

No reader of "The Examiner" can
afford to miss any of this series of
views beginning next Sunday and con-
tinuing until the fourth week there-
after. They will be worthy of preser-
vation as giving the only perfect pic-
ture of the whole city and not merely
the reproduction of the detached por-
tion thereof.

The picture supplements will accom-
pany the "Sunday Examiner" in the
following order:

1. Panoramic view of the city
from San Hill to Russian Hill, showing
the city, including the bay and the
Golden Gate.
2. Panoramic view of the city and bay
from Russian Hill to Telegraph Hill,
showing Alcatraz Island in the
distance.
3. Panoramic view of the city from Tele-
graph Hill to Russian Hill, showing all
that remains of the heart of the whole
city and manufacturing district.
4. Panoramic view of the fashionable
shopping and retail business district,
as the camera goes from the top
of the California Hotel. The large
portion of this picture includes the two
blocks north of Market street to Third
from Montgomery street to Mason.
5. Panoramic view of the Western Ad-
dition and the Mission showing the city
of the city and of 80,000 people
living, with their people and their
city in the distance.

OREGON FISH AND GAME LAWS

OPEN SEASON FOR FISH AND GAME

Upland birds - Oct. 1. - Dec. 31. Killing of more than
10 birds in one day is prohibited.
Fishes - Oct. 1. - Dec. 31. Killing of more than
10 fish in one day is prohibited.
Game - Oct. 1. - Dec. 31. Killing of more than
10 game in one day is prohibited.
Hunting - Oct. 1. - Dec. 31. Hunting of more than
10 game in one day is prohibited.

WASHINGTON FISH AND GAME LAWS.

OPEN SEASON FOR FISH AND GAME

Upland birds - Oct. 1. - Dec. 31. Killing of more than
10 birds in one day is prohibited.
Fishes - Oct. 1. - Dec. 31. Killing of more than
10 fish in one day is prohibited.
Game - Oct. 1. - Dec. 31. Killing of more than
10 game in one day is prohibited.
Hunting - Oct. 1. - Dec. 31. Hunting of more than
10 game in one day is prohibited.

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THE PACIFIC COAST FOREST, FISH AND GAME ASSOCIATION recently incorporated under the laws of the State of California for the purpose of promoting and fostering interest in the preservation and cultivation of our forests, fish, game animals, song, insectivorous and game birds, will institute an International Exhibition from April 1st to April 15th, 1905, inclusive, in the Mechanics' Pavilion; the net proceeds therefrom will be equally divided between the San Francisco Lying-in Hospital and Foundling Asylum, and the Hospital for Children and Training School for Nurses.

The different Exhibits will be under the personal direction and management of men of recognized experience and ability, and will be arranged in such a manner as to afford the best opportunity for study and comparison.

Group A—FORESTRY.

Group B—FISHERIES.

Group C—ANIMALS AND BIRDS.

Group D—SPORTS, GAMES AND PASTIMES.

Group E—LOAN COLLECTIONS.

Group F—ART.

Group G—INDUSTRIES ASSOCIATED WITH FOREST, FIELD AND MARINE SPORTS, AND ALL KINDS OF IN-DOOR AND OUT-OF-DOOR GAMES AND PASTIMES.

An Athletic Carnival will continue daily under the auspices of the Olympic Club.
Promenade Concerts afternoons and evenings.

Congresses and Conventions will be invited to assemble during the Exhibition, so that permanent good may result.

The interior of the Pavilion, as far as possible, will be made to resemble a forest of redwoods, firs, pines and other trees brought from the North and the East, in which will be enclosures filled with living specimens of forest animals and birds.

Aquaria with the most interesting varieties of food and game fishes, fish hatcheries, log cabins, Indian villages, etc., will be shown.

Aviaries with game, insectivorous and song birds will be arranged about the building.

A modern Rifle and Pistol Range will be installed for prize shooting.

An Art Exhibit with appropriate oil paintings, water colors, photographs and drawings will be installed in the Art Gallery.

In the galleries will be exhibited objects of an industrial and commercial nature.

A portion of the building will be set apart for the exhibition of Automobiles.

The shareholders of the Association, having subscribed sufficient capital to insure the success of the Exhibition, desire the cordial and active co-operation, not only of every true sportsman, but of all others interested in the preservation and cultivation of our forests, fish, game animals, song and insectivorous birds, in order to make this initial enterprise a notable event. With these purposes in view, it has been decided to invite to Associate Membership all persons interested in the laudable objects of the Association who may be recommended to such membership. After election, on payment of ten dollars, they will receive a Certificate of Membership admitting them to the Exhibition during the entire season. They will also be entitled to ten additional tickets admitting their friends to the private opening of the Exhibition and Reception to be given on the evening of March 31st, when the Governor of the State, the Mayor of the City, the Forest, Fish and Game Commissioners and other distinguished patrons will make their official visit.

NO TICKETS WILL BE SOLD FOR THIS OCCASION.

Your name having been recommended you are invited to become an Associate Member.



Offices of the
PACIFIC COAST FOREST, FISH AND GAME ASSOCIATION
37-39 Phelan Building
January, 1905

PRESIDENT

FOR SUPERIOR JUDGE



FRANK J.

MURASKY

INCUMBENT

Democratic and
Union Labor Nominee

LOUIS ROESCH CO. LITH

1904

ADMINISTRATION SHELVES MARTIN



Chief of Detectives Is Transferred to the Harbor Station With Little Ceremony.

First Notification Comes From the Police Bulletin—Burnett Is Named to Take His Place—The Chief Will Not Talk.

THE sword of Chief of Police George W. Willman fell yesterday morning, and the official head of Captain J. B. Martin, chief of the detective bureau, rolled into the basket. Seemingly for no other reason than that it pleased his own sweet will, Willman removed Martin from the position of importance which he has filled for the last two years and sent him out to be in command of the relatively insignificant Harbor Police Station. Police Captain Joseph J. Burnett, who has worn a captain's stripes at his shoulders for less than six months, was called in from street duty to take Martin's place at the head of a corps of men trained in the ferreting out of crimes and criminals.

The man whose head has thus fallen a sacrifice to the Chief's latest whim has no murmur of complaint to make for being sent from his high place into the lesser rank. Indeed, he declares that he rather welcomes the change and the switching of responsibility from his shoulders.

At 8 o'clock yesterday morning Martin entered his office to begin the duties of the day. He called to his office the various detectives needed for the day and detailed them to their duties according to his usual custom. Martin's next step was to look over the written reports submitted by his subordinates, and then in read the Police Bulletin, a little one-sheet tract which is the official organ of the department and the speaking trumpet of the Chief.

MARTIN'S SILENT NOTIFICATION.

Running his eye through the columns, he came suddenly upon this paragraph:

Captain J. B. Martin is hereby transferred from the command of the detective bureau to the command of Company and Police District No. 2. Captain J. J. Burnett is hereby transferred from command of Company 1 and Police District No. 2 to the command of the detective bureau at police headquarters.

That was the only notification he received and the only explanation offered for his removal.

When asked to give to the public his reason for kicking an experienced man from off the streets and placing him in Martin's position, Chief Willman closed his jaws with a snap and said:

Halt of Justice buzzes with the talk of it. It is that Martin was not a favorite of the administration, for that reason Willman was compelled to get rid of him.

The deposed captain of detectives has been a member of the police force of San Francisco for more than twenty years. He was made a sergeant in 1885, and ten years later he was made a lieutenant. In 1902 Martin was promoted to the rank of captain by the Police Commissioners, and given charge of the Central Station, shortly afterward Captain John Beynour resigned from his position as head of the detective force, and in June, 1902, Martin was chosen to take his place. He has a good record as a policeman, and has always been popular with the men under his control.

Joseph J. Burnett, the new captain of detectives, went on the police force as a patrolman in September, 1881, and did not receive a sergeant's chevrons until January, 1901. A year later he was a civil service appointee to the rank of lieutenant, and, like Martin, also stationed at the Central Station. In April of the present year Burnett was made a captain of police, and relieved Captain A. J. Dunleavy, who retired from duty as the captain at the Harbor Police Station. He has a good record in the department for energy and shrewdness in dealing with criminals.



Chief of Detectives Is Transferred to the Harbor Station With Little Ceremony.

First Notification Comes From the Police Bulletin—Burnett Is Named to Take His Place—The Chief Will Not Talk.

THE sword of Chief of Police George W. Whitman fell yesterday morning, and the official head of Captain J. B. Martin, chief of the detective bureau, rolled into the basket. Seemingly for no other reason than that it pleased his own sweet will, Whitman removed Martin from the position of importance which he has filled for the last two years and sent him out to be in command of the relatively insignificant Harbor Police Station. Police Captain Joseph J. Burnett, who has worn a captain's stripes at his shoulders for less than six months, was called in from street duty to take Martin's place as the head of a corps of men trained in the ferreling out of crimes and criminals.

The man whose head has thus fallen a sacrifice to the Chief's latest whim has no murmur of complaint to make for being sent from his high place into the lesser rank. Indeed, he declares that he rather welcomes the change and the switching of responsibility from his shoulders.

At 5 o'clock yesterday morning Martin entered his office to begin the duties of the day. He called to his office the various detectives needed for the day and detailed them to their duties according to his usual custom. Martin's next step was to look over the written reports submitted by his subordinates, and then to read the Police Bulletin, a little one-sheet tract which is the official organ of the department and the speaking trumpet of the Chief.

MARTIN'S SOLE NOTIFICATION.

Running his eye through its columns, he came suddenly upon this paragraph:

Captain J. B. Martin is hereby transferred from the command of the detective bureau to the command of Company 1 and Police District No. 3. Captain J. J. Burnett is hereby transferred from command of Company 1 and Police District No. 2 to the command of the detective bureau at police headquarters.

That was the only notification he received and the only explanation offered for his removal.

When asked to give to the public his reason for making an inexperienced man from off the streets and placing him in Martin's position, Chief Whitman closed his jaws with a snap and said:

"I will not talk. All I have to say about the matter you can find in the Police Bulletin."

"Won't you even say for the good of the service?" he was asked. This is Whitman's pet phrase.

"I will say that I aim to improve the department every year I am here," he replied. "I think its better now than it was a year ago, but there's room for improvement and I hope to see it still better next year."

More than this Whitman refused positively to say. Martin would only declare that he knew of no reason for his removal. He said that he and the Chief had been on good terms both personally and officially at last, and that he knew no more of the reasons for his going than he had read in the "notification." He cheerfully asserted his willingness to act at the Harbor Station in the capacity which the chief had laid down for him, and declared that his dismissal would cause no breach between either Whitman and himself or between himself and the department.

CAPTAIN MARTIN'S STATEMENT.

Regarding the manner of his removal Martin said:

"The Chief of Police has a right to run the department as he pleases and to detail the men under him when he chooses, where he chooses and how he chooses. I believe my work has been satisfactorily done. The records of the District Attorney's office show that I have accomplished as much as my predecessors. I have been given no reason for my removal and I shall ask for none."

But there is a reason for it, and the

Hall of Justice buzzes with the talk of it. It is that Martin was not a favorite of the administration. For that reason Whitman was compelled to get rid of him.

The deposed captain of detectives has been a member of the police force of San Francisco for more than twenty years. He was made a sergeant in 1883, and ten years later he was made a lieutenant. In 1902 Martin was promoted to the rank of captain by the Police Commissioners, and given charge of the Central Station. Shortly afterward Captain John Heynour resigned from his position as head of the detective force, and in June, 1902, Martin was chosen to take his place. He has a good record as a policeman, and has always been popular with the men under his control.

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ONE BROTHER WILL TAKE HIS BRIDE IN MAY ANOTHER WILL MARRY IN THE MONTH OF JUNE



MISS ANNA VOORHIES



MISS ISABELLE VAN VLACK.



MISS GENEVIEVE WOODRUFF.



JAMES HALL BISHOP.



THOMAS PORTER BISHOP.

Sons of Thomas B. Bishop, Well-Known Attorney, Will Lead to the Altar Beautiful Girls of Their Choice.

On Wednesday, May 23rd, at 12 o'clock noon, Miss Isabelle Van Vlack and James Hall Bishop will be married at the residence of the bride's mother, 3220 Pacific avenue. The ceremony will be performed by his Grace, Archbishop Riordan in the presence of the immediate members of the families.

The young couple will make an extended tour of Southern California, and on their return will occupy their own home, which will be prepared for them during their absence.

Miss Van Vlack is descended from one of the oldest Knickerbocker families of New York. Her father, the late Dr. George J. Van Vlack was a prominent physician in this city, some years ago. The bride-elect received her education in this city and Panama. She is exceedingly pretty.

The groom-to-be is the eldest son of Thomas B. Bishop, a well-known attorney, and grandson, on his mother's side, of the late Dr. James Hall, State Geologist of New York, a scientist of world-wide reputation. Mr. James Bishop and his brother, Thomas Porter Bishop, had the privilege of being received with their grandfather by the President of Russia at the last International Geological Congress. Both brothers were recently graduated from the Hastings College of the Law and have been admitted to practice.

The younger brother of the groom, Thomas Porter Bishop, will be married in early June to the third daughter of Dr. A. H. Voorhies, a well-known oculist. Their home, 2111 California street, has been the scene of many brilliant social functions. His fiancée,

Miss Anna Voorhies is one of the most popular and charming girls in society.

The transport Sheridan brought from Manila the news of the engagement of Miss Genevieve Woodruff, the second daughter of Colonel Charles A. Woodruff, Assistant Commissioner-General, United States Army, to Lieutenant Malin Craig of the Sixth Cavalry, United States Army.

Miss Woodruff was born in Santa Fe, N. M., Vancouver, San Francisco, Washington, D. C., and Governor's Island have been her successive homes. While here she was a pupil at the Academy of the Sacred Heart and South Coastopolitan School. In Washington she attended the high school and in Brooklyn was graduated with honors from Parker's Collegiate Institute.

Last September Colonel Woodruff's family sailed from New York on the cable transport Burrhead via the Suez canal to Manila, where Miss Genevieve and her sister, Miss Edith, have been the recipients of much social attention. She is a very pretty girl, graceful, intelligent and possesses great charm of manner.

Lieutenant Craig is the son of Major Louis Craig, Fifth Cavalry, United States Army. While at the Military Academy, West Point, from which he was graduated in '94, he was First Captain of the Corps. In the Philippines he has been on the staff of General Thomas H. Barry, but on his promotion to First Lieutenant, this month, he will rejoin his regiment.

A Trio of Brides-to-Be and Two of the Lucky Men.

CHRONICLE. THURSDAY, MAY 30, 1901.

JAMES BISHOP WEDS MISS VAN VLACK.



TWO prominent families were united yesterday morning by the marriage of Miss Isabelle Van Vlack and James Hall Bishop. The ceremony was performed in the home of the bride's mother, 509 Pacific avenue, by Archbishop P. W. Rhodna, who was assisted by Rev. Charles A. Romm.

The bride was attired with charming simplicity. A tucked chiffon gown, finished at the bottom of the skirt with a double flounce, fell over a silk foundation skirt. The waist was high at the neck and had long sleeves. The only ornament worn was a jeweled choker set with pear-pearls and emeralds. The silk tulle veil was caught in the hair with a spray of orange blossoms. She was attended by Miss Ella Morgan as maid of honor and Miss Minnie Marton Case as bridesmaid. The best man was Thomas Potter Porter Bishop. The bride was presented to the groom by her uncle, Frank Seyler. Mr. and Mrs. Bishop left in the afternoon for a bridal trip south.

The bride is a member of an old Knickerbocker family of New York. Her father came to this city over a quarter of a century ago and became a prominent practicing physician. His daughter was educated partly here and partly in Canada. The groom is the eldest son of Mr. and Mrs. Thomas Bishop. For over thirty years his father has been connected with the bar of this city as a leading member. The son was born and received his early education here. He later attended the University of California and was graduated from the Hastings College of Law this year.

Mrs. Hippolyte Dulaud is expected to arrive in New York early next week from Europe, where she has been traveling for the past six or eight months. Mrs. Dulaud will be met by her niece, Mrs. Edward Houghton, and together they will visit Boston, Washington and St. Louis, returning to California some two months from now.

Mr. and Mrs. Frederick Meland, San Francisco, California.

THOMAS P. BISHOP WEDS MISS VOORHIES



Ceremony Takes Place at the Archbishopal Residence.

MISS ANNA VOORHIES, daughter of Dr. and Mrs. A. H. Voorhies, was married yesterday at 3 o'clock to Thomas Potter Bishop, son of Mr. and Mrs. Thomas H. Bishop. The ceremony took place at the Archbishopal residence, 1123 Fifth street. Archbishop P. W. Rhodna officiating, assisted by Rev. Charles A. Romm of St. Mary's church. It was witnessed only by immediate relatives, but a brilliant reception followed at the home of the bride's parents, 211 California street. From 1 to 6 o'clock, hundreds called to congratulate these young people. There has been a rare affair in which there was in usual respect. Miss Voorhies and Mr. Bishop have been college chums and good friends these many years. They were in the same classes in the University of California. Mr. Bishop graduating in 1898, and Miss Voorhies in 1900. Miss Voorhies is a graduate of the University of California. Mr. Bishop decided to take up his father's profession and so the young sweethearts agreed to wait until he completed his course in law. This was accomplished last month. For a part of the year while Mr. Bishop was hard at work, Miss Voorhies went abroad, spending part of the time with the Bishop family.

There were no all points in the city.

many said John Zelle, who acted as best man, but for the occasion the bride's father, who is a member of the board of directors of the city, acted as best man. In this group besides the bride and groom were Mrs. Regal and Smith, Miss Susie Bland, Miss Sophie Thorne, Miss Grace Spence, Miss Katherine Tilton, Miss Theresa Morgan, Miss Muriel Brown, Miss Florence, Mrs. Mrs. John S. J. Mrs. Marie Voorhies and Mrs. Maholm Henry, sister of the bride, who lives in Washington, D. C.

The bride wore a handsome white satin gown with the long flounces which adorned her mother's wedding gown and which have been a model for her two sisters, Mrs. Malcolm Henry and Mrs. Guy Scott. All those in the receiving party yesterday wore white, with the exception of Miss Spence, whose beautiful gown was of deep red lace and chiffon.

The bridal party stood in the large, ornate window of the living room, which is hung in 1901 tapestries. Through the window and the other rooms there was a lovely decoration of carnations and American flags, roses all of which were sent to the large hospital at the conclusion of the wedding.

Mr. and Mrs. Bishop have gone north on a trip and on their return will keep house on Hyde street in Sacramento. This residence has been humbly fitted for them by the parents on both sides. To the wedding gifts which will be sent by friends in the collection which was made in the city, there are the most beautiful things brought in either crystal and bronze. Then, too, the rarest flowers and cables and pieces of all glass and all in most exquisite taste. Later Mr. and Mrs. Bishop expect to build a home of their own when they find a site in their liking.

THE EVENING POST: TUESDAY, SEPTEMBER 27, 1904.

'S SPORTING

NEW SHOOTING BUND HAS BEEN ORGANIZED BY LOCAL SHOOTERS

German Rifle Clubs Have Decided to Withdraw From the National Association and Keep Money at Home.

The rifle shots of the city have broken away from the National Association, and have formed a new organization which hereafter will take the place of the parent body of the United States. Although it has not been given out as a fact, it is said that the reason for the formation of the local body has been the actions of the Eastern shooters. When the tournament was held in San Francisco three years ago the officers turned over somewhere in the neighborhood of \$5000 to the National fund and when the next event took place it was found that the expenses in the meantime had absorbed all the money. The local men have decided to do their own shooting and hereafter there will be a shoot every three years in some

of the coast cities, but the money will not cross the "Rockies."

At a meeting held last night Captain E. A. Kuhl, who was president of the national organization when the successful tournament was held at Shell Mound Park three years ago, was chosen temporary chairman, and T. J. Carroll was elected temporary secretary. At the next meeting, which is to be called by the club, a committee will be appointed to draft a constitution for the government of the new organization, which is to include all the clubs on the Pacific Coast and as far East as Denver, Colo. The following delegates represented their respective clubs: San Francisco Schutzen Club—Captain Henry Belling, Kaufman Wertheimer, Lieutenant Harry Meyer; Independent Clubs—H. G. G. Jr., P. Andrews, P. Iverson, California Schutzen Club—

Abraham Ruhwyler, T. J. Carroll, Fred Levers, Germania Schutzen Club—Herman Huber, Clarence M. Henderson, Charles F. Thierbach; Pacific Indoor Shooting Club—J. Kytha, Max Kolander, E. V. Kington; Golden Gate Rifle and Pistol Club—W. F. Blum, H. E. Graham, R. P. Jones; Turner Shooting Section—Joseph Straub, D. Davidson, Charles Pouch; Shell Mound Pistol and Rifle Club—H. P. Nelson, Henry Windmiller, A. M. Paulson; Orinell Shooting Section—E. Werlen, G. R. Hutter, P. Simmen; Norddeutscher Schutzen Club—A. Westphal, P. Thode, John Herken; Sacramento Helena Rifle Club—Captain P. Ruhlman, J. Gaudier, Jacob Meyer; Krleger Shooting Section—Arthur Weggenmann, G. Hutter, Felix Kufner; Elkhorn Shooting Section—Captain E. A. Kuhl, L. Schmidt, C. von Hartung.

ARCHBISHOP MAKES THEM MAN AND WIFE



Wedding of Thomas P. Bishop and Miss Anna Voorhies.

The wedding of Thomas P. Bishop and Miss Anna Voorhies took place at the residence of Archbishop Riordan, on Eddy street, yesterday afternoon, the Archbishop officiating.

At 3 o'clock the beautiful young bride, in her white satin bridal gown and veil, and her sister, Mrs. J. Malcolm Henry of Washington, D. C., took a carriage at the Voorhies residence, 2111 California street, while the groom and his best man, John Zelle, jumped into another, and the four were rapidly driven to the Archbishop's domicile. Within a half hour, they returned to the bride's parents' home, where a delightful reception took place lasting from 4 to 6 o'clock.

The house was beautiful in the bride's favorite color, pink. In the large drawing-rooms were baskets and artistically arranged jardinières of pink and white peonies, carnations and roses, shading from the light pink of the bride's maid to the deeper reds of the American Beauty. In the library and dining-room graceful ivy was used effectively against the dark polished woods of the walls.

The bridal party received in the archway between the drawing-rooms. The bride was radiantly beautiful in her shimmering gown of white satin made on train. The entire gown was elaborately trimmed with the leaves and blossoms of orange. The corsage was of durable lace with a tucked yoke of mousseline. The long sleeves, reaching over the hand, were of the same sheer material. Her bridal veil was of tulle, caught in her hair with a spray of orange blossoms. At her neck she wore a beautiful pearl ornament, the gift of Mr. Bishop.

The bride's sister, Miss Marie Voorhies, wore a white tucked mousseline de sole gown, embellished with rennaissance lace, with point lace yoke and sleeves. In her hair she wore a white aigrette and on one shoulder a bunch of American Beauty roses.

Mrs. Voorhies was attired in an elegant gown of heliotrope corded satin with yoke and front of white satin, covered with point lace. She wore diamond ornaments.

Miss Henry, who attended the bride at the wedding ceremony, wore a handsome tulle of white tulle de robe, trimmed with pink panne velvet and roses.

Those who assisted in receiving the guests at the reception were Mrs. Reginald Smith, Miss Sophie Pierce, Miss Grace Hirschfeld, Miss Florence Lee, Miss Katherine Dillon, Miss Olive Holbrook, Miss May Hennen, Miss Annie Hlanding and Miss Jean Niles.

The young ladies were all dressed in delicate afternoon gowns of white, pink and pale blue. During the reception light refreshments were served and an orchestra hidden behind a screen of greens in the hallway played delightfully while the 200 guests gave the happy pair all sorts of good wishes and congratulations.



Mr. and Mrs. Thomas P. Bishop.



MISS LAWRENCE AND HER FATHER

Alameda Policeman Said to Have Dyed Hair and Mustache After Funeral of His Wife.

DAUGHTER SAYS SHE HAS DEED OF PROPERTY.

Will Send Her Younger Sister to Boarding School and Pay for Her Education.

ALAMEDA, Jan. 7.—Miss Mae Lawrence, eldest daughter of Policeman Joe Lawrence of this city, has been notified of her father's intention to remarry, his wife having died a year ago, and while she offers no serious objection to the affair she is determined to protect the interests of herself and sister.

Miss Lawrence is a skillful stenographer, and since her seventeenth year has earned her own living, so far assisting in the support of her younger sister Evelyn, who still remains in the home of her father.

"I left home about two months ago," said Miss Lawrence today, "because my father, as he admits himself, threw me out. He wanted to marry an Oakland lady, and I made it a point to see the lady, and having explained the circumstances to her, she broke the engagement and refused to have anything further to do with my father. The statement that previous to the death of my mother there was discord in our home is true only regarding the last two months of my mother's life. She knew she had but a few weeks to live, and desired to make some provision for myself and sister. She at least wanted to secure a home for us. The property was in her name and she told my father that she desired to transfer the deed to me. Then the trouble came. He protested, declaring that the property was his and not the child's, and he would take the matter to the courts before he would submit to it. My poor mother, however, to her dying day refused to make the property over to him, and he capitulated, his taunting abuse finally she passed away. Father wanted to bury her in a plain wooden coffin, but I objected, and almost wholly out of my own pocket gave her a respectable burial.

"Within twenty-four hours after the funeral father came home looking twenty years younger than he really was. He had had his hair and mustache dyed black. In a few weeks he wanted to bring a woman into the house, to serve as housekeeper. I presume, but as we had a Jap who was doing this work, I objected. Finally his conduct became so unbearable that I was obliged to leave the home. In fact, I was virtually thrown out. My plane is there yet, and I am determined to fight for it and for the property, the deed of which I have had recorded. My father has plenty of money. He worked on the police force in its early days, when cash came easy, and he has lived a miserly life. Although his name is Lawrence he is a Prince. He has birth and education, and for many years has honestly supported his mother, who

MRS. Scheldor

came from a New Jersey family, was diagnosed and described as follows: "I shall take my younger sister away and place her in a boarding school where she will be educated at my expense. I have always been able to earn a good income, and as my salary is now more than my father received on the police force, we are quite independent of him. But he shall hear from me before he marries his twenty-four-year-old bride. His age is 40, not 50, as reported in some of the papers."

Call
March 21-1921

LAW REGARDING PAY OF JURORS

Judge Torrance Holds the
Statutes of 1871-72 Are
in Force.

Decision That Revolutionizes Meth-
ods of Procedure Followed
for Years in Civil
Actions.

Special Dispatch to The Call.

SAN DIEGO, March 20.—An important ruling relating to juries in civil cases was rendered by Judge Torrance of the Superior Court to-day. He held that the present practice, which is being followed in this as well as in other counties of the State, is not in accordance with the law and that the statutes of 1871 and 1872, which provide that the county must pay part of the expenses, are still in force.

The matter came up in the case of Graer M. Neely vs. Minnie G. Stockton, in which the question was presented to Judge Torrance on Monday and was decided by him to-day. The defendant demanded a jury trial, but the plaintiff would not consent, because she was not able immediately to pay her share of the expense, it having been the rule of the court for many years that in a civil jury case each side must advance half of the expenses as the trial progresses. This custom has been followed in all the Superior Courts of the State outside of San Francisco for the past ten years.

This system was attacked by Attorney Andrews, and Judge Torrance, by his decision to-day, practically declares it to be illegal. After citing a number of Supreme Court decisions, he holds that the statutes of 1871 and 1872 are still in force.

These statutes provide that the party in whose favor the verdict is rendered in a civil case must pay the expenses of the twelve men who compose the jury, while the county must pay the expenses of those who are subpoenaed but not accepted as jurors.

In case the jury is not able to agree upon a verdict the party to the suit demanding the jury trial must pay the expenses of the jurors. When a verdict is rendered the judgment is not docketed until the money has been paid for the jury, but the amount so paid is taxed in the costs of the suit in the judgment.

Judge Torrance said he had some hesitation in coming to this conclusion, as he knew the practice to be different throughout the State. Judge Torrance accordingly vacated the order setting the case for trial on April 1, because he did not feel justified in ordering a jury for this case alone if the county had to stand part of the expense. He probably will wait until there are three or four jury cases before he will set it for trial and summon a jury.

COMMISSION MEN AND DAIRYMEN.

From the beginning of commission sales of agricultural products in this city there has been a profound and well-igh universal conviction among the farmers of the State that they were systematically defrauded by some of the merchants to whom they consigned their produce. This feeling has pervaded all the agricultural industries and has led to many attempts at cooperative marketing, most of which were ineffective and short-lived. In the dairy industry it led some years since to the establishment of a cooperative selling agency called the "Dairy-men's Union." This concern was properly capitalized and gave every promise of success, but the commission men found little difficulty in getting the dairymen themselves to fight it, and after a rather stormy existence for a number of years its cooperative features were abandoned and it became virtually a private trading company. The only protection which the farmers had was the market reports of the dairy press which, so far as the "Chronicle" is concerned, are prepared with the utmost care in the face of many difficulties. Obviously a market reporter has no means of ascertaining the prices of produce sold at private sale except the statements of the commission men themselves, and it has been necessary to constantly guard against placing them too low. Commission men always desire quotations to be low, and if they can deceive a reporter some of them will do so. The method always is to get statements from as many as possible and average them. During many years of experience we have had cases of complaint from country subscribers that our dairy quotations were too low, but never in a single instance has a commission merchant complained that they were too high. In spite of all our vigilance it seems probable that the commission merchants have occasionally got us to quote too low, but if we may judge by their silence we have made no errors to their disadvantage.

When the so-called "Dairy Exchange" was established we were more than pleased. A "Dairy Exchange" is understood to be a place where buyers and sellers meet and trade together in the open, with prices duly recorded on a blackboard for everybody to see. That is the way the well-known "Elgin Dairy Exchange" is conducted, and its transactions are regarded as authoritatively fixing prices throughout a great part of the East. It was supposed that the San Francisco Exchange was to be an institution of that kind, and the "Chronicle" was delighted at the prospect of being able to give to its country readers official and authentic reports of transactions instead of the average of conflicting statements made by different commission men, all of whom would be glad to have us quote too low, and of whom some were certain to try to get us to do so.

As a matter of fact, the San Francisco Dairy Exchange has never been a place where sales were made, but merely a caucus where prices were agreed upon to be given to the press. There has been absolutely nothing more of it. There is no reason to suppose that any commission merchant was ever governed by those prices in selling, but it seems to be a fact that they were constantly made use of in buying from the farmers. Apparently that was what they were for, and nothing else. Competition among themselves soon led to offers above "exchange" quotations, and even to contracts to pay regularly at higher rates. This brought inquiries from our dairy readers which resulted in an investigation. As a result of what we have discovered we shall no longer quote Dairy Exchange prices in our market reports. We have no confidence in them and will not ask our readers to trust them. This involves greatly increased labor and expense on our part. It is easier to quote "official" figures prepared for us by the trade than to ourselves investigate the actual facts. The latter course, however, is imperative when we believe the official figures prepared with intent to deceive, and we are compelled to adopt it in reporting prices of dairy products.

WAS ON THE JURY THAT TRIED GAMBLER CORA.

Charles H. Vall Passes Away—His Death
Recalls Some Stirring Days
of City's History.

Charles H. Vall, who died at his residence in this city on Thursday, April 14th, was one of the jury that tried Charles Cora for the murder of General Richardson in the days of January, 1847. He was then an auctioneer in the house of Poulterer, De Ro & Co. Afterward he was a general broker. He was a native of New York State and reached the age of 75 years. The names of the other members of that jury were William A. Piper, foreman, A. B. Forbes, John J. Haley, Edward P. Phil, M. Joyce, Jacob Mayer, Thomas C. D. McDonald, William H. Howell, John M. Eastley, A. Holmes and J. Ward Eaton. Ex-Congressman Piper and Mr. Haley died recently. A. B. Forbes, who was then of the firm of Forbes & Baldrick, agents of the Pacific Mill Steamship Company, is now and has been for many years the general agent in this city for the Mutual Life Insurance Company of New York. The failure of this celebrated jury to agree was one of the main springs to the great popular uprising known as the Vigilance Committee of 1846, whose way of dealing with public offenders led the Governor of the State, J. Neely Johnson, to issue a proclamation declaring the city in a state of insurrection. Cora was a criminal. His death, however, Richardson, whom he shot in the street as the result of a previous quarrel, was the United States Marshal. Cora's trial was held before John S. Hager, District Judge. Alexander Campbell, who assisted in the prosecution, is still living in Los Angeles. General Baker made the closing address on behalf of the prisoner. The jury, after being out forty-one hours, could not agree and was discharged. The jurors stood six for manslaughter, four for murder in the first degree and two for acquittal. Before the date fixed for Cora's second trial the Vigilance Committee took him from the County Jail and publicly hanged him on Sacramento street, near Front, May 22, 1846. At the same time and place it hanged James P. Casey, who had killed James King, the editor of the Bulletin.



CARROLL COOK
FOR
PRESIDING JUSTICE
OF THE
DISTRICT COURT OF APPEAL

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AND DOCUMENT PHOTOGRAPHY

HORSEHAVEN



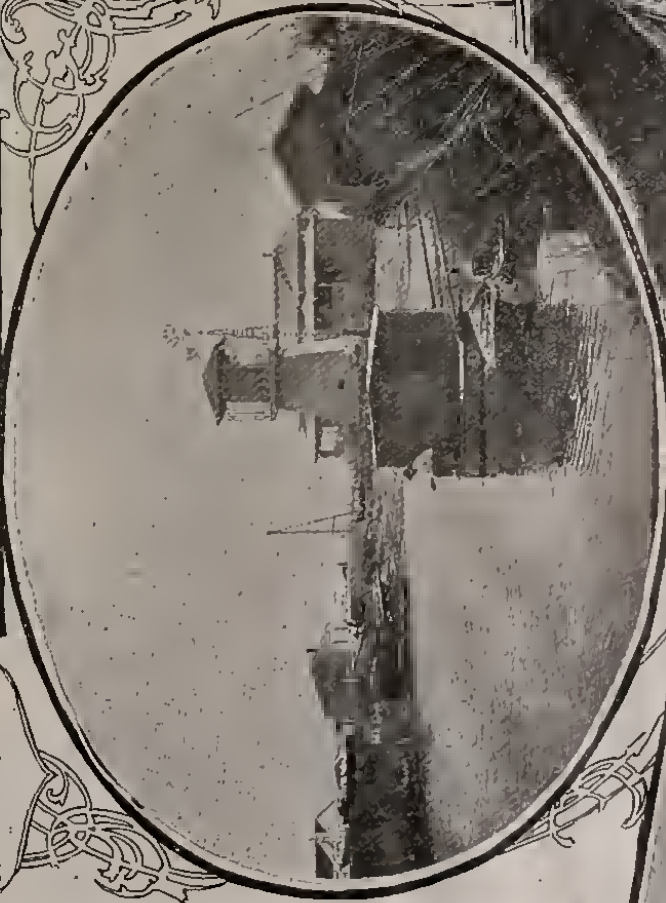
MOTHERS
OF
FAMOUS SONS



BRENTWOOD
STOCK FARM,
HOME OF
MANAGER.



GROUP OF FAST HORSES
FLYBYYNIGHT ON
LEFT...



HAMILTON II.

NOWADAYS, when high-bred horses earn thousands and sometimes hundreds of thousands of dollars during a single season, as much care is bestowed upon them by owners, grooms and jockeys as though they were princes of the blood royal. Indeed, no prince is watched so jealously and treated with such scientific care as a king or queen of the turf. As the fame of California as the home and training ground of world-beating trotters and runners spreads through the country, more and more interest is taken in the methods observed here in the building up of horse flesh. California is watched with eager interest by horsemen the world over, for here are being developed ideas in the scientific development of strength and speed in horses that may revolutionize the sport.

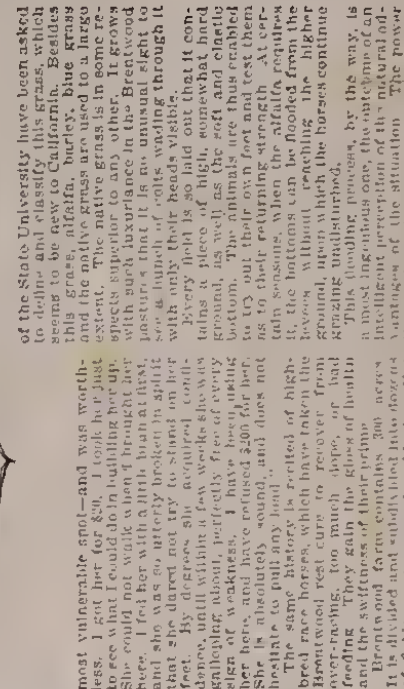
To the "glorious climate of California" must be given the largest praise for the wonderful work already done. Nowhere else can the sensitive and highly strung thoroughbreds stay in the fields day and night, winter and summer,



TAKING A STROLL.



LOADING BARLEY FOR FEED.



MOWING ALFALFA.



plan," said Superintendent Nugent, "that is, we have run them up a point higher than the highest flood ever known. Our ditches work both ways, which is a novelty. If there is a flood of water that we want to get rid of, all we have to do is to open the gates when the tide is low, and it runs off into the canal and out to sea. If the tide is high, the gates are closed, and the water is held back by the tidal power we use the big siphon that runs over the side of the levee into this ditch. We use a hand-pump, like a kitchen pump, to suck the air out of this big siphon, and then the land being lower than the water on the other side of the levee, the water flows over the levee and irrigates our fields. No labor at all is involved, either in pumping or directing the flow of the water.

In many cases horses require delicate handling when they first arrive at Brentwood. They are nervous with much racing, overstrung, off their feed and generally broken down. They are placed in a separate paddock with an electric foot double-tight collar and absolutely no water and feed can be given to them. Without entering the paddock, the paddock itself is a miniature field, covered with alfalfa, or blue grass, or young barley. Under these circumstances a horse quickly recovers his spirit and then his strength. The same treatment that would be beneficial to a neurotic human being is applied to the horse, with equally beneficial results.

at Brentwood, where mosquitoes are unknown. The breeze is the same as that which sweeps over the peninsula of San Francisco, so that it is tempered by its sixty-mile travel over cultivated fields and long stretches of chaparral. One of the enthusiastic admirers of Brentwood farm is Sam Hildreth, trainer for the Navy. Hildreth says: "Taking the climate into the account, there is no place to equal this. It is an ideal place for the recuperation of race horses."

Harney Schreiber, too, is a believer in the "California rest cure" for race horses. He has a number of valuable animals at Brentwood now, including Flyby-night. He argues that the cool pastures are of more benefit to horses than the higher lands, which are dry and hard. Whenever one of his numerous racers is knocked out by hard riding, accident or indiscreet feeding, he sends it to Brentwood for the rest cure. In a few days it is returned, glossy as silk, hard of foot, full of spirit, and in the best of health.

the success of Brentwood establishment.

of the State University have been asked to define and classify this grass, which seems to be new to California. Besides this grass, alfalfa, burley, blue grass and the native grass are used to a large extent. The native grass is in some respects superior to any other. It grows with such luxuriance in the Brentwood pastures that it is an unusual sight to see a bunch of colts wading through it with only their heads visible, but it contains a very small amount of alfalfa and takes a piece of high somewhat hard ground, as well as the soft and elastic bottom. The animals are thus enabled to try out their own feet and test them in various seasons, when the alfalfa requires it, the bottoms can be flooded from the levees without reaching the higher ground, upon which the horses continue grazing undisturbed.

This flooding process, by the way, is a very interesting one, the outcome of an intricate and somewhat complicated arrangement of the water and carries. It is through the ditches in the Pacific ocean, though the tide runs into the Golden Gate, forcing millions of tons of water into the bay. It breaks up the waves of the San Joaquin river, and this in turn raises the water in the little canals on either side of Brentwood farm. The rise and fall averages six feet. By a system of gates Superintendent Nugent has arranged

most vulnerable spot—and was worthless. I got her for \$20. I took her up just to see what I could do in building her up. She could not walk when I brought her here. I fed her with a little bran at first, and she was so utterly broken in spirit that she did not try to stand on her feet. By day she was able to walk a few steps, until within a few weeks she was galloping about, perfectly free of every sign of weakness. I have been using her here, and have refused \$200 for her. She is absolutely sound, and does not hesitate to pull any load.

The same history is repeated of high-bred race horses, which have taken the Brentwood rest cure to recover from over-training, too much dope, or bad feeding. They gain the gloss of health and the swiftness of their feet. In the first place, the horses are fed on a mixture of alfalfa, pasture and podsols. Not a foot of barbed wire is on the place, but the tide runs into the Golden Gate, forcing millions of tons of water into the bay. It breaks up the waves of the San Joaquin river, and this in turn raises the water in the little canals on either side of Brentwood farm. The rise and fall averages six feet. By a system of gates Superintendent Nugent has arranged

Each paddock has an enclosure in which the horse may withdraw in rainy weather.

When Mr. Nugent selected Brentwood for his novel horse sanitarium he did it with the object of securing for the animals immunity from mosquitoes or lauders from Kentucky as the ideal other insect pests. The constant breeze blowing from the sea assures this result both large and wide.

fully contrived to let the tide force the fresh water into ditches, where it is looked as the tide recedes and directed into the field where required. Thus, in five minutes' time and by the mere closing of a gate the force of the ocean is used to irrigate alfalfa fields far out of sight of the ocean.

"We have built the levees on the safety

with benefit to health, wind and limb. The blue-grass regions of Kentucky are swept with snow and sleet part of the year, and the downs of England are enveloped in cold mist and rain; but sunshine and warmth transform the pastures of California into an equine paradise.

In several parts of California the scientific care of horses is being studied, with outlay of money on a lavish scale. The more famous stables and breeding farms have been described in detail one of the most interesting of the newer institutions, about which little has yet been said, is the "horse sanitarium" near Brentwood, in eastern Contra Costa county, at the head of the San Joaquin valley. There many novel methods are in vogue which are worthy of the notice of all lovers of horse flesh.

Brentwood stock farm is situated five miles north of Pittwood station, on the Southern Pacific, and within a mile or two of the new station of Oakley, on the Valley Railroad. It is owned by H. Luntard of San Francisco, who has already expended \$100,000 in making this a Garden of Eden for horses. From the time, five years ago, when analyses of the soil were made until the present day, when seventeen kinds of grasses are grown for horse feed, nothing has been left undone to bring out the matchless qualities of California soil and climate for the recuperation and building up of horses. The place is in reality a great sanitarium, where the best care to horses, with intelligent care and watchful skill in assisting their recovery from weakness, indigestion, disease or conditions inimical to speed or endurance.

Brentwood farm is in reality "made lands." It is located in the triangle formed by two long arms of the San Joaquin river, and is therefore nearly surrounded by water. By great labor and expense, long levees have been thrown up, holding back the water of the river and confining it to the two arms that stretch on either side of the farm. These arms have ten or twelve feet of water at all times, and larger boats, which carry most of the freight for the farm and transport horses to and from the river steamer, and so to San Francisco.

When the land was first reclaimed it was low and boggy. That was four years ago. It has been steadily rising from its bed of immemorial mud, until, in places, it is almost up to the level of the top of the levee. An astonishing fertility, it produces a crop after crop of alfalfa, barley, corn or similar feed, which the grass pastures send up their velvet heads to show. The surplus horses cannot eat it all. The surplus is cut and made into hay. The fertility of the soil, however, is a secondary matter in the care of the horses that rest in these pastures. It is the low, cool, elastic quality of the ground that is of value first. This quality may be appreciated when the horse is subjected to racing in which his feet are the grassen a horse runs almost daily at frantic speed, over a hard, beaten, and woefully unyielding surface, it is not surprising that his hooves are so easily ruined. Valuable animals irretrievably ruined through this constant pounding. Often they cannot walk, and

WILL let the Public Administrator out of the turmoil into which it has been drawn through association with the two probate departments of this court. The people of San Francisco, after this has been accomplished, will know that there are two judges upon this bench who have escaped the mesh of scandal which has surrounded this important office, the duties of which are to see to the safe and honest distribution of the holdings of the dead to their lawful heirs."

This remarkable statement was made by Presiding Superior Judge Frank H. Dunne yesterday in justification of his action in refusing to further entertain cases in which the Public Administrator's office was involved to Probate Judges James V. Coffey and James M. Troutt. The application of the Public Administrator for letters upon the estate of the late Captain William Ward, commander of the lost steamer Rio de Janeiro, was assigned by Presiding Judge Dunne to Judge Sloan's department for adjudication and his petition for right to settle the estate of the late John Harris was placed for decision in the hands of Judge Murdick, sitting in Department 2 of the Superior Court.

Says Public Cries for a Change.

Continuing, Judge Dunne said: "My action is in response to the public cry for a change. I am tired of constant complaints. Like Presiding Judges before me, I have been wearied by the frequent protests of members of the bar and citizens whose rights are or have been involved in the probate departments of this court. I have decided to make a change. I have selected two judges, whom I know to be above reproach, to handle the business of the Public Administrator's office and if they fail I will bear the responsibility, but I do not look forward to any such result. "As to the assertion that one member of this bar is given all of the business in



JUDGE FRANK H. DUNNE



JUDGE J. M. TROUTT



JUDGE J. V. COFFEY

one of the probate departments in certain lines—such as appointments to the office of attorney for absent heirs, appraiser of the collateral inheritance tax and other similar duties—I have nothing to say, except that this fact has been included among the complaints laid before me. I would like to have it understood that my action is not resultant from my own investigation, but is based upon public complaint, which I now deem it my duty to consider.

"It is true that in the other department of the Probate Court the schedule of fees has caused much complaint. I hold that the laborer who performs his work well should be fully compensated for the sweat of his brow. I am, likewise, of the opinion that the attorney who expends his energies and learning in the settlement of probate cases should be properly remunerated for his services. There is no difference in the cases cited, though some may hardly consider them analogous. The rights of attorneys are recognized by the law, hence I will recognize them."

Creates Immense Sensation.

Judge Dunne's stand and statement created an immense sensation in the City Hall yesterday. It was not wholly unexpected, but came with a suddenness that gave the principals involved but little time in which to prepare defense. When their statements were made, however, they contained an expressed disregard for Judge Dunne's opinion or action that caused but little less sensation than the statement of the Presiding Judge which brought them forth.

Judge Coffey was not inclined to make a direct reply to the statement of Presiding Judge Dunne, but said that as it had been stated that the Presiding Judge's action was "in response to the public cry for a change" he might point those interested to the public indictment of his policy and record as contained in the figures of the election commission on the result of the last campaign. When the full returns of the last election were in it was found that Judge Coffey, after almost two decades upon the bench, had been returned to office with a plurality above them all. Hence he smiled yesterday when he asked from whence came "the public cry" for a change.

Judge Coffey's Low Schedule.

There is but one schedule of fees enforced in the Probate Department and that is in Judge Coffey's court. In consequence after asserting that he was

partying to avoid a controversy the Judge admitted that the reference to complaints as to a schedule of fees made by Presiding Judge Dunne was evidently aimed at his (Coffey's) court. His schedule of attorney fees governing the compensation of the Public Administrator for the settlement of estates upon which letters were granted to him was next produced. It follows:

Amount of Estate	Maximum Attorney Fee
\$1,000	15
2,000	25
3,000	35
4,000	45
5,000	55
6,000	65
7,000	75
8,000	85
9,000	95
10,000	105
11,000	115
12,000	125
13,000	135
14,000	145
15,000	155
16,000	165
17,000	175
18,000	185
19,000	195
20,000	205
21,000	215
22,000	225
23,000	235
24,000	245
25,000	255
26,000	265
27,000	275
28,000	285
29,000	295
30,000	305
31,000	315
32,000	325
33,000	335
34,000	345
35,000	355
36,000	365
37,000	375
38,000	385
39,000	395
40,000	405
41,000	415
42,000	425
43,000	435
44,000	445
45,000	455
46,000	465
47,000	475
48,000	485
49,000	495
50,000	505
51,000	515
52,000	525
53,000	535
54,000	545
55,000	555
56,000	565
57,000	575
58,000	585
59,000	595
60,000	605
61,000	615
62,000	625
63,000	635
64,000	645
65,000	655
66,000	665
67,000	675
68,000	685
69,000	695
70,000	705
71,000	715
72,000	725
73,000	735
74,000	745
75,000	755
76,000	765
77,000	775
78,000	785
79,000	795
80,000	805
81,000	815
82,000	825
83,000	835
84,000	845
85,000	855
86,000	865
87,000	875
88,000	885
89,000	895
90,000	905
91,000	915
92,000	925
93,000	935
94,000	945
95,000	955
96,000	965
97,000	975
98,000	985
99,000	995
100,000	1,000

In all estates at a valuation intermediate and above these figures the same ratio shall obtain.

October 12, 1905.

A schedule of fees as allowed by the Superior Court of Los Angeles County,

which was patterned after the schedule drawn up by Judge Coffey, was then casually referred to by him as at least a grain of support to his stand and a small measure of comfort to him in the defense he is now making. But in conclusion Judge Coffey said he would rather remain silent; to answer would be to violate his views upon the right of one to answer an accusation made by innuendo.

Judge Troutt Says Little.

Judge Troutt, like Judge Coffey, said he had no answer to make; it would not look well. He only hoped that the departments to which the presiding Judge had announced his intention of assigning Public Administrator cases in the future would be spared the unfortunate episodes that had arisen in other departments—his included. He pointed to the Piper case as an illustration of unfortunate conditions that may be visited upon a court at any time. During his absence from the city, said Judge Troutt, a will in favor of the natural son of the deceased was discovered. Before he returned to the city the heirs had compromised with that natural son and a threatened controversy had been avoided. In this the court had not been a participant; in others less so, yet criticism had resulted and now "a public cry for a change" had been considered. Doubtless more will be heard of the controversy today.



PRESIDING JUDGE OF THE SUPERIOR COURT AND THE TWO JUDGES WHO HE SAYS SHALL HEAR NO NEW PETITIONS FOR LETTERS FROM PUBLIC ADMINISTRATOR.

JUDGES TROUTT AND COFFEY MAY NO MORE HEAR PETITIONS OF PUBLIC ADMINISTRATOR

Presiding Judge Dunne Makes a Sensational Order and Explains It in a Statement That Produces a Furor in Legal Circles.

OCTOBER 19, 1905.

SAY HE ALTERED RAILROAD PASS

Southern Pacific Officials Accuse Michael J. Welch of Tampering With Ticket

RELEASED ON BAIL

Judge Cabaniss Fixes Bail at \$2000, Which Is Furnished by the Arrested Man

Michael J. Welch was arrested yesterday on complaint of Detective Ed Gibson and at the instigation of the Southern Pacific Company, on a charge of altering and putting into circulation a railroad pass. Later in the day he was released on \$2000 bail, which amount was fixed by Judge Cabaniss.

Officials of the Southern Pacific Railroad allege that early in August they issued a pass to E. L. Taylor, a telegraph operator connected with their company, which pass would enable Taylor to travel from here to Tucson, Ariz. It is claimed by the railroad company that Taylor disposed of this pass to Welch, Welch in turn resold the pass to J. M. Peters for \$15. If Welch sold the pass, as it was originally issued, all might now be well and good. The pass was originally made to expire August 15, but Welch is accused by the company of having altered this date to August 31.

It is claimed by the company that Welch altered the figures 15 by means of a needle and inserted the figures 31 in their place. It is also alleged by the railroad company that Welch erased the name of E. L. Taylor on the back of the pass and permitted Peters to rewrite the name of Taylor thereon, so it would be in Peters' handwriting. After Peters procured the ticket, he proceeded as far as Los Angeles, traveling under the name of E. L. Taylor. At that place he was held up by the train agent, who took the pass away from him, as he discovered that an alteration had been made. Peters then returned to town, and laid his statement of the facts before the railroad company, with the result that Welch was arrested.

WEALTHY MAN'S WILL IS FILED

Large Property to Be
Divided Among the
Hume Heirs.

Deceased Made a Fortune in
the Alaska Canneries
Years Ago.

Oakland Office San Francisco Call, 1115 Broadway, April 22.
The will of Joseph Hume, the Berkeley salmon packer, which was filed for probate today, makes specific bequests amounting to more than \$100,000, besides disposing of bills receivable of the estimated value of about \$100,000.
The principal items included in the property belonging to the estate are the controlling share in the Hume Bros. and Hume Salmon Packing Company, 1250 shares of Euphrasia gold mining stock and the family residence on Dwight way, below Shattuck avenue, in Berkeley, valued at \$30,000. All this the testator declares in the will to be his individual property, and provides that should his wife have any of it declared communally property her interest under the provisions of the will shall lapse.
To Mrs. Hume, who is only 25 years of age, is left the Euphrasia gold mining stock. The three sons, Joseph W., Herbert, and John S. Hume, and the two daughters, Florence L. Hume and Grace A. Sheldon, receive their father's interest in the salmon packing company.
The two daughters, Mrs. Hume and her three children are made co-heirs, legacies, share and share alike, and the family residence is to be sold and the money distributed to them on the same terms.
All the legacies are given equal shares in the indebtedness to the estate from Hume Brothers & Hume, which is to be allowed to run at the company's pleasure, provided the interest is paid at least \$1000 a year is paid on the principal.
The residence mentioned in the will is one of the handsomest in the college town.

SONS' TRUSTEES FOR DAUGHTERS

Hume's Will Declares All
His Estate Separate
Property.

OAKLAND, April 22.—The will of Joseph Hume, the salmon packer, was filed for probate today by his widow, Sarah H. Hume. The probate records show that as far as known the estate will not exceed \$100,000 in value, and consists of investments in the corporation of Hume Brothers & Hume, a corporation engaged in salmon packing, and the Euphrasia Gold Mining Company, aggregating \$100,000, and the residence on Dwight way, Berkeley, valued at \$30,000. This may be increased, however, as he was a large creditor of Hume Brothers & Hume, and has other realty in Berkeley.
The heirs and legatees under the will are given as follows: The widow, Sarah H. Hume, aged 25 years, a resident wife; Joseph W., 25; Herbert, 21; John S., 25; Florence L. Hume, 17, and Grace A. Sheldon, 21, daughters. Then the will names the younger children, Chauncey Paul, aged 4 years, Helen Theodora, 4, and Edith Agnes, 2 years of age. Of these, Joseph and Herbert are in Alaska, John and Mrs. Florence are in San Francisco and Mrs. Sheldon is living in Alameda. The younger children are at the family residence in Berkeley. The will names the widow as executrix and Joseph W. Hume as executor.
The testator declares that all the estate is separate property acquired before his marriage or since with the proceeds of property held before his marriage. With this preamble he expressly declares that it is his intention that the provisions made in the will for his wife are in lieu of any claim she may make that the estate is community property. Should she make such claim and substantiate it, then the provisions of the will in her favor are to be declared null.
To Joseph, Herbert, John and Florence, Edith Agnes, share and share alike, all his stock in the corporation of Hume Brothers & Hume, 1250 shares. The interests of the two daughters are to be held by the brothers in trust and the income to be paid to the sisters during their lifetime. If either or both of the daughters should die without heirs, then the share or shares shall go to the brothers.
To the widow he bequeaths his interest in the Euphrasia Gold Mining Company, amounting to 1250 shares. He also entrusts upon the executors to sell all the realty belonging to his estate and divide the proceeds, share and share alike, between the widow, Florence, Edith Agnes, Grace A. Sheldon, Chauncey Paul, Helen Theodora and Edith Agnes Hume. However, the shares of Florence, Edith Agnes and Grace A. Sheldon are to be paid into the trust funds held by the three brothers and only the income paid to the daughters. All the rest and residue of the estate is to be divided between the widow, the younger children and the two older daughters.
He also declares that the income from the money due him from the firm of Hume Brothers & Hume, secured by promissory notes and other evidences of indebtedness, must be divided equally between his heirs, but may be pressed in payment of the principal interest and must be paid upon the principal, and while one or more of his sons are in control of the business, if any time they lose control of the affairs of the corporation then the payment must be enforced. The will is dated November 29, 1900.

VALUED AT OVER A QUARTER OF A MILLION.

OAKLAND, June 21.—The appraisers of the estate of the late Joseph Hume, the Alaskan packer, places a valuation on the property of \$254,000. Of this \$24,000 is personal property consisting principally of stock in the Hume Bros. and Hume Salmon Packing Company. The real estate is the home property at Berkeley, valued at \$10,000.
The appraisers were Norman McLaren, W. H. H. Graves and Mallet Seales. The widow of the deceased, Sarah H. Hume, has petitioned the court to have the homestead set apart for the use of herself and children.

WILL SHOW THEIR SKILL WITH THE REVOLVER

Theodore Kyika offers a prize of a picture of La France room by H. Hubcock as one of the prizes for the best center shot in the revolver contest which will be held at 331 Mission street by the Pacific Indoor Shooting Club on October 15, 16 and 17. There will be one hundred competitors who are members of the United States Revolver Association.

St. Francis Hotel
Carmichael



MENU

HORS D'OEUVRES GRAND DUCAL
HUITRES EN COQUILLE

TORTUE VERTE A L'ANGLAISE CONSONNÉ MILADY
VELOUTINE AUX LONGOUSTINES

FILETS DE SOLE, MONTE CARLO
SUPRÊMES DE BASS AU BEURRE NOISETTE

MIGNONS DE BOEUF D'ALBUFERA
BARON D'AGNEAU A LA MARAICHÈRE
POMMES DE TERRE, MIRETTE

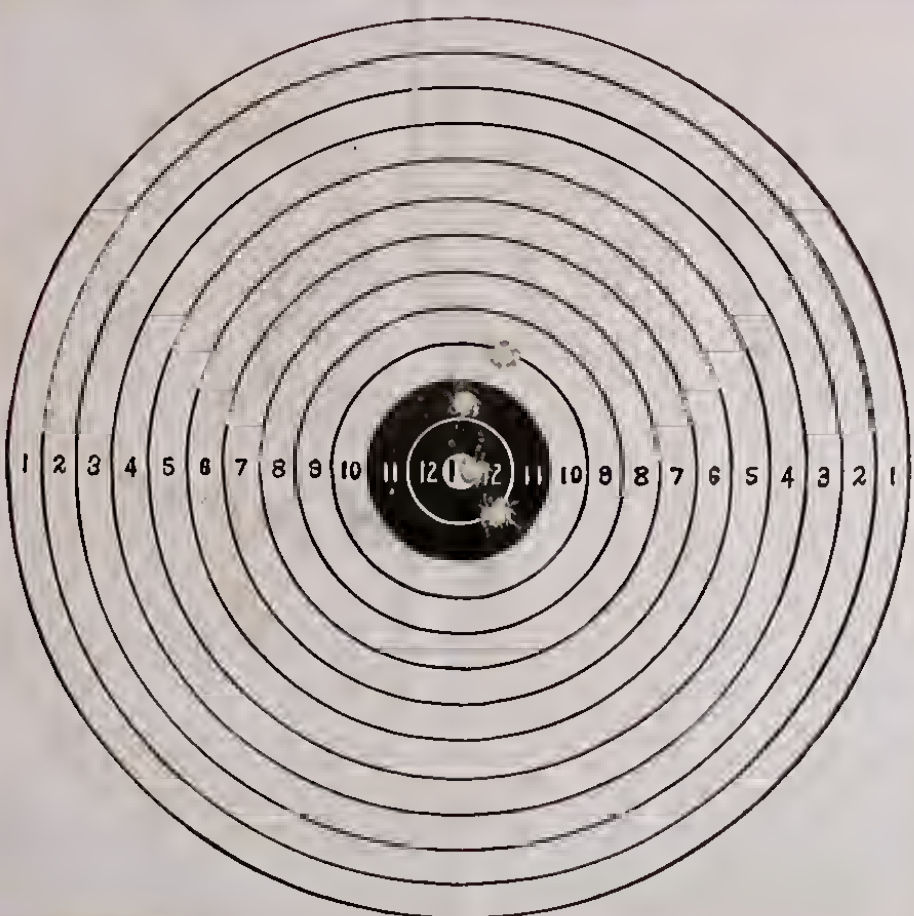
ASPERGES EN BRANCHES, SAUCE MALTAISE
PETITS POIS FRANÇAIS AUX FINES HERBES

POULET DE GRAIN AU CRESSON PIGEONNEAU BARDÉ AU JUS
SALADE DE SAISON

POUDING PRINCESSE AU SAMBAYON
GLACE MARIE LOUISE A LA VENITIENNE
FRIANDISES

FROMAGES DIVERS FRUITS DE CHOIX CAFE

Apr 18 - 1907





GOOD SCORES WITH PISTOL

Pacific Indoor Shooting Club Hold
Good Shoot at
Range.

Some very good shooting was done last night at the regular semi-monthly shoot of the Pacific Indoor Shooting Club, at their gallery on Mission street. The meet was largely attended, the marksmen keeping all of the targets engaged during the evening.

On the rifle range A. Studer and Max Kolander distinguished themselves with a score each of 241 points out of a possible 250 on the reduced German ring target. Studer fired seven scores in the bronze medal match.

With the pistol W. P. Fritchard and E. V. Kingston led with scores of 90 each out of a possible 100 on reduced Standard American targets.

Following are the scores:
Rifle—Bronze medal Studer 241, 236, 233, 242, 237, 231, 230, J. Poller 232, 231.

Members' medal—J. Heller 224.
He-entry—M. Kolander 241, 231.
Pistol and revolver—Bronze medal—

J. Kytkä 77, 77, 77, 76, 76.
He-entry—E. V. Kingston 90, 90, W. C. Fritchard 90, 85, William Blaine 85, 81.
Nus. R. A.—Theodore Kytkä 79.

WILL HOLD BIG PISTOL AND REVOLVER SHOOT.

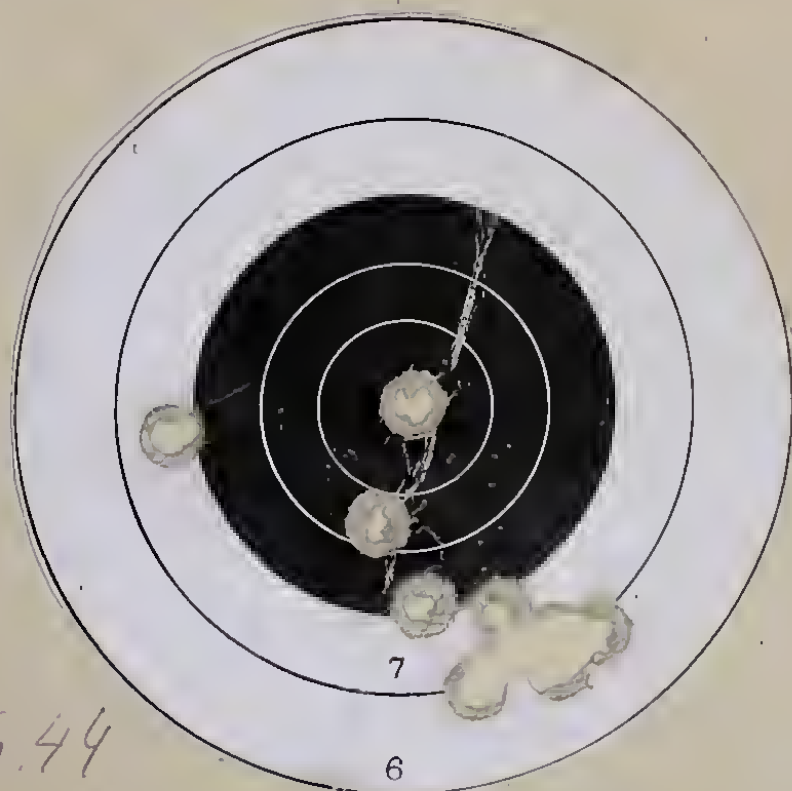
Open Championship
Event to Be Given
on the Range.

The Pacific Indoor Shooting Club of this city is arranging a monster championship and prize shoot to be held in their gallery at 593 Mission street on the nights of October 13 and 14 and on the afternoon of the 15th. The shoot will close on the night of the 15th with the distribution of a long and valuable list of prizes. The shoot will be a public affair and open to all.

The championship will be for the pistol, rifle and revolver and will cover the indoor championships for California. Thirty shots will be fired by each competitor in these events and the winners will be awarded bronze cups as the first champions of the State.

The prize shoot will be a re-entry affair of three shots for rifle and five shots for pistol and revolver. The two best scores of each shooter will be aggregated to compute winners. For the rifle the reduced German ring target will be used and the reduced Standard American target for pistols and revolvers. Incidental to the prize shoot for revolvers and pistols, a special prize has been offered for the best center made with either of those weapons. This prize is a valuable oil painting done by artist William Hudacek and is offered by Theodore Kytkä, the well-known revolver enthusiast.

A rapid-fire revolver match is included in the programme of the big shoot. The marksmen will be required to fire five shots within thirty seconds in this match. An attempt will be made to arrange a rapid-fire match for repeater rifles, rapid-fire having become popular recently.



10.
Shots 44

60 feet—

May. 1904 by

J. Kytkä



